

UNIVERSITY OF CALIFORNIA, ACADEMIC SENATE

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SANTA BARBARA • SANTA CRUZ

William Jacob
Telephone: (510) 987-9303
Fax: (510) 763-0309
Email: William.Jacob@ucop.edu

*Chair of the Assembly and the Academic Council
Faculty Representative to the Board of Regents
University of California
1111 Franklin Street, 12th Floor
Oakland, California 94607-5200*

October 10, 2013

SENATE COMMITTEE CHAIRS SENATE DIVISION CHAIRS

Dear Colleagues:

I have enclosed materials for a systemwide “final” review of APM 600. This was reviewed last year and Council requested additional review based on a clearly marked version of the proposed changes accompanied by explanations of the reasoning underlying the proposals (see enclosed letter). Please pay particular attention to the redlined version of the proposed policy revisions that is included in the packet of materials. Council’s July 2013 letter and Vice Provost Carlson’s request are appended to this letter. The materials for review are attached in a separate pdf entitled “Final Review Portfolio 10-9-13” and can also be found on Academic Personnel’s website under the Final Review section at: <http://www.ucop.edu/academic-personnel/academic-personnel-policy/policies-under-review/index.html>.

Please submit any comments to SenateReview@ucop.edu by **Monday, November 25** for discussion during the Council iLinc meeting scheduled on December 4. Our response is due to Vice Provost Carlson by December 20. Thank you, and please do not hesitate to contact me if you have any questions.

Sincerely,

A handwritten signature in cursive script that reads "Bill Jacob".

Bill Jacob, Chair
Academic Council

Cc: Senate Executive Directors
Senate Committee Analysts

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SANTA BARBARA • SANTA CRUZ

Robert L. Powell
Telephone: (510) 987-0711
Fax: (510) 763-0309
Email: Robert.Powell@ucop.edu

*Chair of the Assembly and the Academic Council
Faculty Representative to the Board of Regents
University of California
1111 Franklin Street, 12th Floor
Oakland, California 94607-5200*

July 17, 2013

SUSAN CARLSON, VICE PROVOST ACADEMIC PERSONEL

Dear Susan:

As we discussed at the June 26 Academic Council meeting, I have enclosed a table of all the comments submitted by divisions and committees on the proposed revisions to APM 600, as well as all of the responses. As we agreed, your office will circulate for review a side-by-side comparison of the current APM 600 and the proposed language with strikeouts and additions noted, as well as the rationale for each proposed change, by September 1. As we agreed, those sections which did not elicit comment can be assumed to be acceptable to the Senate and do not need to be circulated for further review.

We appreciate the opportunity to thoroughly review the proposed amendments to APM 600.

Sincerely,

Robert L. Powell, Chair
Academic Council

Cc: Academic Council
Martha Winnacker, Senate Executive Director
Janet Lockwood, Academic Personnel Policy Manager

Senate Comments on Draft Revisions to APM 600

APM Section	Div/Cte	Comment
510	UCB	The provisions of APM 510 related to inter-campus recruitment and hiring merit wider discussion
510	UCB	Opposed to including caps on start-up packages in APM
510	UCSC	No justification is provided why draft APM 510 only applies to Senate faculty, instead of all academic appointees who hold appointments for more than one year.
510	UCSD, UCFW	Consider UCFW's suggestions on intercampus transfers
510-16.b	UCSC	Exempts administrative positions from limits on salary increases when moving to another campus
510-16.b	UCAP	Does not address the stipends for administrative appointments. Deans should not be put into a special category as if they are only administration.
510-18-c	UCD	Clarify "next highest step" - salary equivalent? Merit step?
510-18-c	UCD	Clarify review process for barrier steps
510-18-d	UCD	Implies that a candidate can be promoted and advanced in rank without Senate review and approval. Contradicts APM 220-1
510-18-h	UCD	Specifies that the salary may be more than one step above that at the initiation of the recruitment, but does not indicate that the rank and step might be more than one step higher
600-00	UCSC	"Indexed Compensation Level (ICL)" should be defined in draft APM 600-0
600-4.d	UCSC	Written clarity: jobs and compensation are different things.
600-4.f	UCSC	Written clarity: replace with "A fiscal-year appointment is an appointment for service throughout the calendar year"
600-8	UCSC	Written clarity: badly punctuated and hard to read
600-14	UCSC	Written clarity: subject and verb do not agree
600-14.b	UCSC	Draft APM 600-14.b and draft APM 600-Appendix1 are inconsistent with draft APM 662-9.
600-14.d	UCSC	Compensation for reading and judging manuscripts is described as "additional compensation" and subject to limits on compensation. At present it is dealt with in APM 665 and is exempt from limits, like honoraria.
600-14.e.i	UCSC	The phrase "otherwise than" has been dropped in going from APM 660-16.a to draft APM 600-14.e.i, in error.
600-14.e.iii	UCSC	Written clarity: Employment is not performed. The rest of this item is badly written
600-14.e.v	UCSC	Written clarity: This is incomprehensible.
600-14-3-iii	UCORP	Negotiated Salary Trial Program would be in violation of this draft section
600-18.b	UCSC	Written clarity: "This calculation includes..." We have no idea what this means.

600-20.f	UCSC	Written clarity: "“In unusual circumstances...” This cannot possibly be what is intended.
600-80	UCSC	Written clarity: This whole page is badly written and hard to understand
610	UCSC	General scale increases in academic salaries are moved from the authority of the Regents under APM 610-0.a and b to the authority of the President under draft APM 610-8.a and b. P&T is not aware if this is a delegation of authority approved by the Regents.
620	UCB	The proposed revision to APM 620 extends the possibility of “offscale” (or “decoupled”) salaries to all academic appointees with the exception of students and appointees subject to a collective bargaining agreement. We do not review many of these titles. For those titles that do fall under our purview (i.e., Lecturers with Security of Employment and Potential Security of Employment), we cautiously endorse these proposed changes, but we note the importance of developing a clear policy for each campus, both for evaluating eligibility for such decoupled increments and for assessing their magnitude. The proposed revision to APM 620 extends the possibility of “offscale” (or “decoupled”) salaries to all academic appointees with the exception
620-0.c	UCSC	This section is deleted from draft APM 620 and should be restored.
620-14	UCSC	Provide justification for including all academic titles as eligible for off-scale salaries
620-16	UCSC	Provide justification for why all limits on off-scale salaries awarded by Chancellors are removed (other than those above the Indexed Compensation Level)
632	UCSC	Summary states that APM 632 is merged in APM 633 in the draft. However, there is no APM 632 in draft.
650	UCSC	Summary lists changes to APM 650, but the draft revised policy is not included.
650-18.a	UCSC	Does the base salary include administrative salary? What is the justification?
661	UCLA	Should be revised to accommodate being paid at the rate in effect at the time of teaching
661-0	UCSC	No justification offered; likely to be a violation of faculty rights
661-14	UCSC	Section requires fiscal year faculty engaging in additional teaching to relinquish an appropriate number of vacation days, but nonfaculty fiscal-year appointees may request the use of vacation days or a temporary percentage reduction in their current appointment. Part-time fiscal year appointees may request a temporary increase in their percentage of appointment. Appointees who hold less than half-time fiscal-year appointments do not have to worry about any of this (presumably as a relic of the existing policy)!
662	UCSC	Draft APM 662 still includes UNEX teaching; 662 and 663 should not overlap.
662-2	UCI	Requiring faculty to teach full loads to be eligible for add'l non-summer teaching is a disincentive
662-9.a	UCSC	Draft APM 662-9.a and 662-9.b are mutually contradictory
662-16.a.i	UCSC	Existing APM 662-16 allows teaching in self-supporting degree programs to result in additional compensation except when it is assigned as part of the faculty member's regular teaching load; the draft disallows this. Is this inadvertent? If not, please justify.

662-17.b.ii	UCLA	incompatible with SR 760, which assigns unit values to courses based on hours of student effort, not podium hours per week
662-17.b.ii	UCSC	incompatible with SR 760, which assigns unit values to courses based on hours of student effort, not podium hours per week
662	UCFW	Because teaching loads vary by discipline, department, and current research load, the overly broad strokes of the revisions grant undue powers to chairs and deans and could be employed arbitrarily. Need definition of teaching load.
662	UCD	Every department must clearly articulate its teaching load to define "normal"
662-9	UCORP	Negotiated Salary Trial Program would be in violation of this draft section
663	UCD	Too much latitude given to department heads to define faculty workload
663-14	UCI	Administrative stipends should not count as UCRP covered compensation
663-14.e	UCC	In draft APM 663-14.e, the "only" is inconsistent with the previous subsection.
664	UCLA	No limit indicated for consulting on University projects; should not be exempt from limits
664-0	UCSC	No limit indicated for consulting on University projects; should not be exempt from limits
666-8.a	UCSC	Allows honoraria for seminars etc. on an appointee's home campus. This is prohibited in existing APM 666-8.a.
667-18	UCAP	The term "negotiated salary" should be removed; it is a trial program.
667-18	UCFW	Internal contradictions between the draft revisions and the Negotiated Salary Trial Program guidelines have not been resolved.
680-0	UCSC	Is it possible to hold a concurrent appointment non-simultaneously?
680-18.b and c	UCSC	Do these apply to faculty who are employed by LBNL during the summer or part time during the academic year? (addressed in draft APM 680-18.d and e)
680-18.e	UCSC	"One-twelfth" conflicts with "one-ninth" mentioned in draft 680-18.d. It is also not clear why a full month of work during the academic year is not to be compensated by one-ninths of the academic year salary.
680-18.f	UCSC	Faculty paid on a fiscal year basis are to be compensated at the rate of one-twelfth of their annual salary if they work during a vacation month, instead of the one-eleventh for grandfathered employees which seems mathematically appropriate.
Appendix 1	UCSC	Appendix 1 is unclear (see #4 on pg. 2 of UCSC's P&T attachment)
Appendix 1	UCSC	Written clarity: What is the difference between "service days" in Appendix 1 and "working days" in Appendix 2?
App. 2, Sec. 1	UCSC	Written clarity: Definition of "Daily Time Factor" is incomprehensible: is it some unspecified percentage of the working days in that month? Or the percentage that the number of working days in the month is of some other unspecified time period?

App. 2, Sec. 1	UCSC	Written clarity: Definition of "Working Day" includes holidays, but the definition of "Day of Absence" is a working day for which payment must be deducted because of absence. Since employees will presumably be absent on holidays, following the instructions of section II would result in a payment that is too low.
App 2, Sec II.2	UCSC	Written clarity: A number of days cannot be a rate.
App 2, Sec II.1	UCSC	Written clarity: "Appointment" is unclear. It should be defined in section I or worded differently.
App 2, Sec III.A.2		Written clarity: Very poorly worded (see item xv on pg. 4 of UCSC's P&T attachment)
App 2, Sec 3		Written clarity: Table in Sec 3 should be a separate subsection B.
App 9		Written clarity: Item 3 is unclear (see item xvii on pg. 4 of UCSC's P&T attachment)



OFFICE OF THE VICE PROVOST --
ACADEMIC PERSONNEL

OFFICE OF THE PRESIDENT
1111 Franklin Street, 11th Floor
Oakland, California 94607-5200

October 9, 2013

COUNCIL OF VICE CHANCELLORS
LABORATORY DIRECTOR ALIVISATOS
ACADEMIC COUNCIL CHAIR JACOB
ANR VICE PRESIDENT ALLEN-DIAZ

Dear Colleagues:

Re: Proposed Revised Academic Personnel Manual (APM) Section IV, Salary Administration (APM - 600 Series), Sections 290, Regents' Professors and Regents' Lecturers, and 510, Intercampus Transfers

Enclosed for Final Review are proposed revised Academic Personnel Policy (APM) Sections 290, Regents' Professors and Regents' Lecturers; 510, Intercampus Transfers; 650, Technical Assistance Projects; 661, Additional Compensation: Summer Session Teaching; 662, Additional Compensation: Additional Teaching; and 666, Additional Compensation: Honoraria. These draft policies have been reviewed during Management Consultation and Systemwide Review with amended language proposed each time in response to reviewers' comments.

Drafts have been finalized for the other Salary Administration policies circulated during Management Consultation and Systemwide Review. Policies for which issues have been resolved are not being redistributed for Final Review. These are APM Sections:

- 600, General
- 610, Salary Increases
- 620, Off-Scale Salaries for Appointments and Advancement
- 633, Administrative Stipends: Academic Appointees
- 663, Additional Compensation: University Extension
- 664, Additional Compensation: Services as a Faculty Consultant
- 667, Additional Compensation: Extramurally Funded Research
- 680, Salary Calculations for Faculty with Appointments at Lawrence Berkeley National Laboratory

I have enclosed both clean and redline versions of the Final Review draft policies based on feedback received during Systemwide Review. The redline versions include comments intended to clarify the most substantial revisions or those sections on which there was a difference of opinion on language. Please contact Janet Lockwood (email Janet.Lockwood@ucop.edu or telephone (510) 987-9499) should you have any questions, experience technical difficulty accessing the files within the portfolio, or wish access to those Salary Administration policies not included in Final Review.

October 9, 2013

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Newly proposed language for policies under Final Review includes the following:

APM - 290, Regents' Professors and Regents' Lecturers. New language is added to conform to Regents Action Item 506 (November 1988) which sets the maximum compensation rate for Regents' Professors and Regents' Lecturers to correspond with the salary rate for the highest step of the appropriate professorial salary scale. Additionally, new language is added to confirm that compensation is by agreement and may take the form of salary or an honorarium.

APM - 510, Intercampus Transfers. This policy applies only to Senate faculty appointments and does not address primary appointments to faculty administrator positions such as Deans whose unit salaries are governed under APM - 240, Deans. However, new language has been added to clarify that the exemption does not apply to the terms of the administrator's underlying faculty appointment.

APM - 650, Technical Assistance Projects. Proposed revisions to this policy had been circulated for review during Management Consultation yet were inadvertently omitted from the Systemwide Review portfolio.

APM - 661, Additional Compensation: Summer Session Teaching. New language has been added to cover various types of appointments and appointees eligible for Summer Session teaching and to clarify that full-time Health Sciences Compensation Plan faculty are ineligible to receive additional compensation for Summer Session teaching.

APM - 662, Additional Compensation: Additional Teaching. New language provides general guidance for determining time spent teaching fully online courses within the context of additional compensation for additional teaching.

APM - 666, Additional Compensation: Honoraria. Language formalizes current campus practice and adds flexibility requested by some reviewers to allow the chancellor to make exceptions. For example, some reviewers believe that faculty should be eligible for honoraria for activities occurring on the home campus.

Final review is intended to advise the results of the Systemwide Review and how language has been refined. We do not anticipate substantive matters to be raised during Final Review. This stage of consultation is intended to resolve prior discussions and to answer remaining questions.

This letter and enclosures anticipate that you will submit comments no later than **December 20, 2013**. Please send comments on the proposed policy to ADV-VPCARLSON-SA@ucop.edu.

Sincerely,



Susan L. Carlson
Vice Provost
Academic Personnel

Enclosures: Redline and clean copy versions of APM - 290, - 510, - 650, - 661, - 662, and - 666

cc: President Napolitano
Chancellors
Provost Dorr
Executive Vice President Brostrom
Senior Vice President Vacca
Vice President Duckett

October 9, 2013

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Vice Provosts of Academic Personnel
Academic Personnel Directors
Executive Director Fox
Executive Director Rodrigues
Executive Director Tanaka
Executive Director Winnacker
Deputy General Counsel Drown
Senior Counsel Van Houten
Director Chester
Manager Lockwood
Human Resources Analyst Bello
Senior Administrative Analyst Rupert