

**Minutes of Meeting
November 4, 2011**

I. Announcements

Bill Parker, UCFW Chair

UPDATE: Chair Parker reported that the Academic Council adopted the committee's recommendation to approve the UC Riverside School of Medicine Health Sciences Compensation Plan implementation proposal on a three-year interim basis, pending concurrence from the University Committee on Academic Personnel (UCAP). Similarly, the UCFW-endorsed TFIR statement on the July 1, 2013 employee contribution rate for UCRP was approved (electronically), and its content will be included in the upcoming Regents item.

II. Task Force on Investment and Retirement (TFIR) Update

Shane White, TFIR Vice Chair

Note: Item occurred in executive session; other than action items, no notes were taken.

III. Systemwide Review Items (part I)

Members

1. APM 200 and 205 (Recall)

ISSUE: Concerns have arisen about the termination clause in the proposed revisions, namely that it appears recalled faculty can have their recall appointment terminated without cause.

DISCUSSION: It was noted that APM 110-4 lists emeriti as full Senate members, with all of the rights and responsibilities appertaining thereto. Nonetheless, members objected to the inclusion of a "without cause" clause. Other members wondered how such terminations would differ from standard "breach of contract" cases. Vice Provost Carlson suggested that recall appointment specify not only the term of recall, but also the conditions that could lead to termination. The committee reached consensus that local Privilege and Tenure committees' jurisdictions is identical in recall situations.

2. APM 670 (Health Sciences Compensation Plan (HSCP))

DISCUSSION: Members identified several problematic parts of the proposed revisions, including: 1) insufficient independence of the advisory committee; 2) over-empowerment of deans in setting salaries; 3) unclear parameters on the expanded guidelines for outside professional activity (OPA) income; 4) inclusion of a "good standing" criterion; 5) undue reward for income generation; and 6) overall, a lack of Senate consultation and involvement.

Vice Provost Carlson indicated that "good standing" could entail little more than having up-to-date licenses, but members rejoined that, in practice, "good standing" is a highly personal and political determination; if "good

standing” is maintained as a criterion, its exact definition and parameters need to be explicated in a comprehensive and clear manner.

Vice Provost Carlson also noted that the advisory committee to the dean is empowered to review and counteract certain decanal decisions. Members countered, however, that the structure of the advisory committee as proposed is inadequate to that task: the dean may appoint half of the members of the advisory committee members, and the dean alone is to review any advisory committee opinions.

Vice Provost Carlson clarified the OPA income passage: the current limit is now \$30K, per recent administrative changes that will be reflected in the next draft. Members questioned tying the limit to the consumer price index, though, as well as how to report uncompensated work, such as for non-profit organizations. Associate Director Lockwood noted that there are two types of OPA: standard and non-standard, where standard disallows for-profit business consulting and expert witness fees, although enforcement is up to local officials. Non-standard OPA has a higher conflict of interest bar; members should contact Ms. Lockwood for additional guidance. Members added that some licenses could require compensable hours in excess of policy maximums, or that professional development opportunities could be disallowed under OPA caps; both would negatively impact recruitment and retention.

Finally, members noted that the “dean’s tax” is inconsistently levied.

ACTION: UCFW will also submit its feedback via formal channels.

3. Draft APM 668 (Negotiated Salary Program)

DISCUSSION: Members identified several points of concern in the draft APM, including: 1) inclusion of a “good standing” criterion; 2) unclear anticipated program eligibility and participation, and thus unclear forecasts regarding possible impacts to teaching and research; 3) a lack of specificity regarding acceptable funding sources; 4) devaluation of the salary scales through an emphasis on market pricing; 5) devaluation of the salary scales by codifying off-scale procedures; 6) over-empowerment of deans; 7) a disproportionate reward to faculty in disciplines with greater external funding opportunities, and a possible de-emphasis of academic quality in favor of revenue generation in those disciplines; 8) the significant differences between the types of work done at the medical centers and the general campuses undermines the aptness of the model; and 9) the two-year time horizon serves as a disincentive to participate, as many members expect faculty to prefer a permanent increase to base salaries.

Chair Parker noted that the external funding model has not harmed academic excellence in the medical centers, and that various disciplines on the general campuses already have different salary incentive structures, such as business, law, and engineering. Chair Parker also suggested that the envisioned internal transfer of saved salary monies may not be realized given that equity adjustments could consume any “greened” funds. Other members observed that, at some point, this trajectory could undermine the salary scales altogether, and still others wondered at what point flexibility would become fragmentation of the faculty. It was also noted that parts of the proposal seem to conflate state funds and general funds, as well as the limitations on the usages of each type of fund.

Chair Parker called for a straw poll to indicate support for the concept (recognizing that some details may change during the review process). The vote was four in favor and seven opposed to the concept of a Negotiated Salary Program.

ACTION: UCFW will communicate its concerns to the Academic Council.

4. Salary Equity Study

DISCUSSION: Members lauded the effort and the goal of the study, but had concerns regarding the methodology employed, and by extension, regarding the difficulty of drawing any specific conclusions from this study. Some noted that inequities may self-resolve over time, when rank and step are held steady; others noted that the institutional conditions at the time of initial hire may be more determinative. Some members suggested that “time since degree” did not indicate “percent time worked since degree”. Available data do not clearly demonstrate causation, but further analysis should be conducted to establish more compelling conclusions.

ACTION: UCFW will communicate to the Academic Council its desire for further study on this important topic.

IV. Disability Mapping

Kris Lange, Director, Benefits Vendor Management, HR

Robert Pettit, Director, Retirement Administration Service Center, HR

Pat Price, Special Assistant to the Vice Provost, Academic Personnel

Gary Schlimgen, Director, Pension and Retirement Programs, HR

ISSUE: The current process for enrolling in and receiving disability benefits is confusing and complicated. The current effort focuses on mapping status quo processes in order to then simplify and integrate them as much as possible. The goal is to devise an ideal program for a new hire, and then to graft current employees onto that model to the extent possible. The first of four maps is being presented today: this map is for faculty with less than 10 years of service. Future maps will cover staff categories and longer serving faculty. (See Distribution 1.)

V. Systemwide Review Items (part II)

(see Item III above)

VI. Consultation with the Office of the President – Academic Personnel

Susan Carlson, Vice Provost

1. Proposed Revisions to APMs 010, 015, and 016 (Discipline)

ACTION: Vice Provost Carlson confirmed integration of UCFW’s previous textual suggestions into the next draft.

2. Proposed Revision to APM 133 (Limits on Rehiring into Certain Academic Disciplines)

(See Distribution 2).

Note: Item deferred.

3. Salary Task Force Update

ISSUE: The task force continues to examine long-term salary strategies, including the five-year plan recently floated by President Yudof.

DISCUSSION: Many members wondered how any salary plan would be funded in the current environment, and a few wondered whether the scales could be salvaged given the proliferation of off-scales and the significant funds needed to close the market gap. Nonetheless, members agreed that peer review and consistent application of the scales are goals worth maintaining going forward, especially as solutions to endemic structural causes are sought, not just short-term ameliorative fixes.

4. Faculty Search Data

ISSUE: Preliminary data on recruitments, interviews, and hires is available (see Distribution 3). As the data are refined, pipeline parity will be assessed, as well as the possible influence of search committee composition.

VII. Health Care Task Force (HCTF) Update

Robert May, HCTF Chair

UPDATE: Chair May updated the committee on several items of interest: 1) the open enrollment rates will soon be made public; the increases to employees are modest, and rates for some insurance plans have actually gone down; 2) the Lumenos HRA rollover question seems to have been successfully resolved; 3) discussion continues regarding employer subsidy rates for part-time employees' health and welfare benefits; 4) a new task force to discuss the topic is being formed; 5) exploration of self-insurance continues; a teleconference has been scheduled for December; 6) wellness program coordinators are working to elevate the program profile and expand the program; HCTF will hear more detail at its next meeting; and 7) members are reminded to prepare their constituents for the upcoming benefits audit.

Note: The remainder of the update occurred in executive session; other than action items, no notes were taken.

VIII. Division Reports

Members

Note: Item not addressed.

IX. Further Discussion

Note: Item not addressed.

Adjournment 3:30.

Minutes prepared by Kenneth Feer, Senior Policy Analyst

Attest: William Parker, UCFW Chair