

## UNIVERSITY COMMITTEE ON FACULTY WELFARE

**Minutes of Meeting  
May 12, 2017****I. Consultation with Senate Leadership**

*Shane White, Academic Council Vice Chair*

**Update:** Vice Chair White reported on several items of interest:

- Response to the state audit of UCOP is leveling off. Audio of a state hearing on the matter is available online for interested parties. Some assert that survey design flaws may have contributed to misinterpretation of data. UCOP has 60 days to issue a response. UCOP has already accepted all “housekeeping” and “transactional” recommendations, but will evaluate more closely the recommendations that impact policy and programmatic efforts. The politics surrounding transfer ratios and other efforts may further negatively impact UC funding from the state.
- The proposed non-resident enrollment policy will go before the Regents next week. The proposal caps each campus at 18% non-residents, and grandfathers those campuses already over that rate. A review of the policy is to occur within four years. Many in the Senate are concerned about codifying financial tiers within the system.
- BOARS continues to take the lead on issues related to Letters of Recommendation and compare favorably metrics.
- A multi-committee joint Salary letter is being revised to include chancellors, but will soon be sent.
- A potential new transfer degree being discussion by CSU and CCC would be limited to 60 units, which is not adequate to prepare students for all disciplines, such as chemistry. Nonetheless, if agreement can be found, it would be a welcome advance.

**II. Chair’s Announcements**

*Lori Lubin, UCFW Chair*

*Robert Rehm, UCFW Vice Chair*

1. Academic Council of April 26, 2017

**Update:** Vice Chair Rehm reported on issues related to the Regent’s Health and Clinical Affairs Committee, on which past UCFW Chair Joel Dimsdale sits as Senate representative. A) A new data mining project agreement between UCLA and external partners has raised privacy concerns. When details are available, Dr. Stobo should be invited to UCFW. B) UCLA has floated the idea of standardizing curricula across the various medical schools. The idea is still in the proof-of-concept stage. C) Changes to the federal budget could curtail NIH funding, which would severely impact UC. Indirect cost rates could be lowered, and soft-money positions could be jeopardized. D) A budget dashboard that would better enable funds flow tracking from medical center to general campus is being developed. E) New GASB accounting changes that require UC to move its retiree health liability onto the general ledger could have unforeseen consequences to medical center budget processes.

**Update:** Chair Lubin reported on other items of interest:

- Prefunding the lower the retiree health liability is not the first strategy being considered by UCOP. There are other factors to consider regarding UC’s global finances.

- The Office of Research and Graduate Studies continues to develop a proposal to enhance graduate student mentoring and collective excellence. How to enhance undergraduate research profiles and funding remains an on-going topic of discussion.
- UCOC is mindful of calls for diversity when recruiting Senate leadership.
- Implementation of changes to APM 210.d continues to be an issue for local CAPs.
- Salary discussions must begin earlier in the academic year next year.
- Public safety advisory board efforts should include the entire campus community. Other groups may have additional resources or templates to contribute. See also Item VIII below.

### III. Consent Calendar

#### 1. DRAFT Response: Proposed Presidential Policy on Export Controls

**Action:** The response was approved as amended.

### IV. Report: Task Force on Investment and Retirement

*David Brownstone, TFIR Chair*

*With Luis Blanco, Office of General Counsel*

*With Gary Schlimgen, Executive Director, Pension and Retirement Programs, HR*

#### 1. 415(m) Restoration Plan

**Issue:** Mr. Schlimgen noted that each location has discretion regarding how they pay their assessments, and there is variation. He added that the program is relatively small, and as incumbents age-out, the program will end; it is not available to those in the 2013 or 2016 tiers.

**Action:** HR will work with the campuses to clarify assessment payment methods.

#### 2. Retirement Choice Program new-hire election process

**Issue:** Mr. Schlimgen reminded members that the 5-year timeline for switching pension elections is already an exception in the market, and OGC has advised against allowing a second exception to prevent appearances of impropriety. Moreover, the IRS is still officially reviewing UC's request for the 5-year switch provision.

#### 3. Fund Menu Changes

**Action:** TFIR will report next month after further consultation with HR and OCIO.

### V. Consultation with Systemwide Title IX Office

*Kathleen Salvaty, Systemwide Title IX Coordinator*

**Issue:** Ms. Salvaty noted that she had been on the job only since February, when she transferred from UCLA to systemwide. Establishing consistency in Title IX procedures is one goal, and new standards for students have been established. New standards for faculty and staff are being developed. Similarly, peer review committees on the campuses are being created. Campus Title IX officers now have dual-reporting lines- to the local supervisor and to the systemwide office. Local supervisors may be designated by the chancellor, but that designated officer is not in the same office on each campus.

The investigation and reporting processes involved are complicated. If no violation is found, the case is not sent for peer review or to P&T, in the case of faculty. If there is a violation, however, how best to respond while protecting privacy and ensuring consistency remains problematic. A complicating factor is that Title IX investigations are only investigations and at best amount to cause to refer perpetrators for indictment or disciplinary action. Referrals from Title IX officers to locally designated officials may be peer reviewed to determine if charges are needed, but while consultation is encouraged, it is not required, and recommendations need not be followed. "Sentencing" guidelines are difficult to develop given the uniqueness of each violation, but the systemwide office has nonetheless been asked to draw broad guidelines, which are still under development.

**Discussion:** Members noted that training available to investigators and to mandated reporters could be enhanced. Members asked whether findings of Title IX investigations became part of a faculty person's permanent personnel file and how these outcomes are conveyed to prospective employers, or whether such could be done without violating privacy standards. It was noted that a hiring institution's final reference check and review should be able to uncover this type of issue.

## **VI. Systemwide Review Items**

### 1. Proposed Revisions to APM 285, 210-3, 133, and 740 (LSOEs)

**Discussion:** Members noted that the current draft has deemphasized calls for encouraging research into pedagogical issues for new hires into this track. In several instances, adding "in consultation with the Senate" should be added to preserve shared governance in this process. Departmental voting rights will still be extended by annual LRF votes. MOUs for incumbents who do not wish to be migrated automatically into the new nomenclature may be filed. Members encouraged strategic outreach to impacted individuals and their deans.

**Action:** Analyst Feer will draft a memo summarizing the committees' findings for electronic approval.

### 2. Proposed Revisions to Senate Bylaw 336 (P&T Hearings)

**Action:** Analyst Feer will draft a memo supporting the revisions and calling for cross-campus consistency.

### 3. Draft Revised Presidential Policy on Electronic Information Security (IS-3)

**Action:** UCFW will re-submit its previous response with an updated cover memo.

## **VII. Consultation with the Office of the President – Academic Personnel and Programs**

*Susan Carlson, Vice Provost*

*Janet Lockwood, Director, Academic Policy and Compensation*

### 1. Negotiated Salary Trial Plan (NSTP Next Steps)

**Issue:** Vice Provost Carlson reported that year 4 of the 5 year pilot on three campuses (Irvine, Los Angeles, and San Diego) was now complete. The goal of the program is to supplement salary with soft money in fields beyond the health sciences compensation plan (HSCP). A joint task force is analyzing whether to continue to the program or to phase it out. A draft report should be ready next week. Preliminary discussions suggest that the program will be recommended for extension, probably for 4 more years, with review commencing after year 3. The extension would include other campuses who elect to join, possibly a renaming of the program, the collection of broader data, and a reaffirmation that the program is not designed to supplant traditional salary efforts.

The current pilot involves 59 departments on the 3 campuses. Fifty-five departments responded to our survey on outcomes to climate and remuneration. Split appointments and contract and grant administration are tricky, but not insurmountable.

**Discussion:** Members noted that on the pilot campuses, the supplemental funding is already viewed as permanent, but if it is not available to all, inequities will result. Members noted that access to extramural funds is not equal by discipline, and wondered if STEM fields would get a lower scale given the existence of external funds. Others noted that this program is only another "band-aid" masking long-standing structural issues.

### 2. Salary Administration

**Issue:** Attempts to fix the salary scales are complicated by several factors. Approximately 98% of faculty have off-scale compensation. Above-scale is reported separately.

**Discussion:** Members asked for longitudinal data on new hire salary components to help illustrate how common and how much off-scale compensation actually is and how much its use

has grown over time. Members also discussed how to get accurate market data, and whether the Comparison 8 is adequate to convey the dire situation developing on many campuses. Whether correlations to CPI would prove persuasive to other audiences is unclear. Whether campuses “cannibalize” vacancies to fund off-scales is also unclear.

**Action:** UCFW will invite President Napolitano to a fall meeting for an in-depth discussion of faculty salaries.

## **VIII. Safety in the Academic Environment**

### 1. Public Safety Advisory Board Next Steps

**Action:** Members will socialize the idea on their campuses and begin coalition building.

### 2. “Gold Book” Reviews

#### a. Use of Force

**Issue:** This draft has too many instances of vague language. “Active resistance” includes the tensing of muscles, for example. “Assaultive resistance” seems entirely dependent on the participant’s point-of-view. “Controlled strikes” and “pain compliance” methods evoke torture in the minds of many. That abusive use of force “should” be reported is inadequate. The section governing use of weapons by affiliated responders must stipulate that local standards govern interactions. Medical officials should be involved in the review of chemical agents, as well as physical interdictions. The logic supporting use of rubber bullets or bean bags but not other devices must be made clear.

#### b. Body-Worn Cameras

**Issue:** The draft is well written, but it should be noted that body-worn cameras are not panaceas. If cameras should be turned off if an undocumented student requests it remains an open question. Some of the included language seems hastily drawn from other policies and may need revised for this sub-heading, for example, verbiage covering undercover officers and confidential informants at UC leads to more questions than it answers.

#### c. Special Response Teams

**Issue:** The SRT would be UC’s equivalent of a riot squad. This draft also requires further revision. SRT employment would be at the chief’s discretion, without involving the chancellor or other senior leader. Appreciation of the impacts of deployment without action must be conveyed. Confusion regarding approved weapons in mutual aid agreements must be addressed preemptively. Many terms might be familiar to industry-steeped professionals, but public access is equally important.

**Action:** Analyst Feer will draft responses to each chapter for electronic approval.

**Action:** Representatives Malloy and Saphores will draft a sample charter for campus public safety advisory boards for discussion next month.

## **IX. Campus Updates**

**Berkeley:** Upcoming issues include: 1) exploration of alternate funding streams, given the looming structural deficit; 2) a task force to address funding of intercollegiate athletics is being formed to help reverse their downward cost trend and its impacts to the general campus; 3) a new catastrophic leave policy is being developed that would allow for leave donation to an individual or to a pool.

**Riverside:** 1) An interim provost has been appointed. 2) Confidence in the chancellor remains in flux. 3) An effort to revitalize a campus faculty club is beginning. 4) An effort to create an emeriti center on campus is launching, but advocates may have to self-fund any project. 5) Title IX equity and ageism related concerns have arisen at the school of business.

**San Diego:** 1) A survey to assess child care and elder care needs is being developed. 2) The Senate will ask local administration for additional health care facilitator funding. 3) Chief Rose will visit the local CFW in June.

**San Francisco:** Investigation into Senate-eligible part-time faculty in non-Senate tracks continues.

**Santa Barbara:** 1) Several deans have retired or been recruited away recently. 2) A proposed merger between Sansum provider clinic and Cottage Hospital is being vetted. A potential MOU with UCLA for primary care provision on campus is still being discussed. 3) Information technology migration to Google platforms has been piecemeal and problematic. Improved communications are being developed.

**X. New Business**

None.

Adjournment at 3:30 p.m.

Minutes prepared by Kenneth Feer, Principal Analyst

Attest: Lori Lubin, UCFW Chair

Attendance:

Lori Lubin, Chair

Roberta Rehm, Vice Chair

Caroline Kane, UCB

Sean Malloy, UCM (phone)

Victor Lippit, UCR

Gedeon Deak, UCSD

Margot Kushel, UCSF (phone)

Stan Awramik, UDSB

David Brownstone, TFIR Chair