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*Chair of the Assembly and the Academic Council
Faculty Representative to the Board of Regents
University of California
1111 Franklin Street, 12th Floor
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December 21, 2010

PRESIDENT MARK G. YUDOF

Re: Faculty salary scales and proposed salary increase

Dear Mark:

Thank you for including a provision for faculty salary increases in the University's 2011-12 operating budget and considering a mid-year increase in 2010-11. As you know, the Academic Council adopted resolutions jointly proposed by the University committees on Faculty Welfare, Academic Personnel, and Planning and Budget as to the allocation of any increase to address both the University's merit system for determining faculty salaries and market lags that undermine the University's competitiveness. The Assembly of the Academic Senate considered these resolutions at its December 1 meeting and asked Council to continue its deliberations as new information about budget scenarios becomes available. Council revisited its recommendations at its meeting on December 15 in light of the Assembly discussion and of your statement that your recommendation for an increase must be linked to merit.

As you know, the faculty salary scales are the instrument through which the University rewards faculty for individually assessed merit after thorough peer review. The scales are governed by the Academic Personnel Manual (APM). "Merit increases for academic appointees are based on academic attainment, experience, and performance. They are not automatic." (APM 615-0) Further, "Normal periods of service are assigned to the various salary steps. . . . Although these indicate the usual intervals between advancements, they do not preclude more rapid advancement in case of exceptional merit or slower advancement when warranted." Thus, an individual faculty member's rank and step directly reflect rigorous peer review of the quality of that individual's research, teaching, and service. In assigning the President responsibility for "recommend[ing] general scale increases to The Regents" (APM 610-6), the APM gives the President the task of assuring that faculty salaries are based on individual performance.

APM 610-0(a) states, "It is the policy of The Regents upon recommendation of the President to request the Governor to provide a salary increase fund in the Governor's budget sufficient to maintain the University's relative salary position (see Section 600-0(b). This request also includes an additional sum for increased Regents' contributions to the University of California Retirement System necessitated by the proposed general scale increase."

Since the state budget situation precludes full implementation of APM 610-0(a) at this time, Council recommends that whatever funds are available for increases in faculty salaries be allocated to grant increases based on the individual's rank and step by adding salary increases to the salary scales. APM 620-18(a) provides that "any academic appointee with an off-scale salary within established salary scales at the time of a general range adjustment will receive the same dollar increase in salary as those of the same title, rank and step on the regular salary scale in question." Thus, individuals now receiving off-scale increments to their salary would receive the increase provided to the salary scale for their rank and step, which would continue to provide them with the same dollar increment over the adjusted scale.

If you are unable to recommend to the Regents that incremental money be added to the salary scales for all faculty, Council reluctantly advises that eligibility for the increase to salary steps be limited to those faculty members who have received a favorable merit review within the last five years. In addition, the enhanced salary scale should be applied to faculty who have attained merit advancement to the so-called barrier steps of Professor V and IX, both of which contemplate an attainment of indefinite duration.

Note that APM 620-0(c) requires that no faculty member receive a salary lower than the associated rank and step in the published salary scale. Under this policy, faculty who are currently on scale or with very small off-scales would have to be paid at least the new published salary associated with the rank and step, regardless of the outcome of previous merit reviews. Creation of a separate salary scale applicable only to faculty with merit increases in the last review cycle violates the express language and the intent of existing policy.

Council's reluctant agreement to restricted eligibility for an increase is based on a number of considerations:

- The University's well documented and ongoing inability to provide competitive total remuneration for faculty is a threat to the University's long-term stature as the world's greatest research university, and any increase will mitigate the lag in faculty salaries.
- Council is conscious of the constraints facing the University in the context of the state's fiscal crisis and recognizes the difficulty of persuading the public that increases are necessary at this time.

Restricting eligibility for an increase will necessarily undermine the integrity of the peer reviewed determination of merit that determines rank and step. Council's acquiescence is based on a truncated consultation that did not allow time to solicit the views of the Senate agencies charged with advising on faculty compensation, notably the University committees on Faculty Welfare, Academic Personnel, and Planning and Budget.

Council's approval of restricting eligibility is contingent on the following conditions:

- Council's approval is based on one-time considerations of the urgency of addressing non-competitive salaries in the context of abnormal budgetary constraints. Council's approval does not reflect loss of confidence in the rank and step system of merit review, with associated salary scales, and shall not be treated as a precedent for the handling of future salary increases.

- All faculty who have received a merit increase in the five years preceding the increase would be eligible.
- All faculty at the barrier steps Professor V and IX would be eligible for the increase.
- Any faculty member initially denied the increase beyond the amount required to bring him or her to the new salary for his or her rank and step would move to the enhanced salary scale starting at the effective date of his or her next merit increase.
- The University commit itself to seek future funding of the salary scales at a level that restores and maintains their integrity as the primary measure of faculty merit, as set forth in APM 610-0(a).

Thank you for the opportunity to opine on this critical issue. Council will welcome an opportunity to continue this discussion and looks forward to engaging the full Senate in a robust consultation in the future.

Sincerely,

A handwritten signature in black ink that reads "Daniel L. Simmons". The signature is written in a cursive, flowing style.

Daniel L. Simmons, Chair
Academic Council

Copy: Provost & Senior Vice President Pitts
Executive Vice President Brostrom
Vice Provost Carlson
Academic Council
Executive Director Winnacker