


UC RIVERSIDE UNIVERSITY OF CALIFORNIA | **Academic Senate**
COMMITTEE ON ACADEMIC FREEDOM

March 13, 2018

To: Dylan Rodriguez, Chair
Riverside Division of the Academic Senate

From: John S. Levin, Chair 
Committee on Academic Freedom (CAF)

Re: Negotiated Salary Program (NSTP) at UC Riverside & Campus
Implementation Procedures for the Negotiated Salary Trial Program (Distributed for
Review: 02/22/18; Committee Due Date: 03/15/18)

The Committee on Academic Freedom considered Negotiated Salary Program (NSTP) at UC Riverside & Campus Implementation Procedures for the Negotiated Salary Trial Program (Distributed for Review: 02/22/18). Committee members opined on these documents and their views are noted below. As chair of the CAF at UCR, I want to point out the concerns the committee as a whole raised about the Negotiated Salary Trial Program that we reviewed in November 2017. We have yet to hear back on this review both campus-wide and system-wide.

Concerns over Negotiated Salary Trial Program were raised that pertained to academic freedom and to salary inequities and resultant (or exacerbated) stratification among faculty. These concerns have not been addressed in the recent document: “Basic Program Document, General Campus Negotiated Salary Trial Program Second Phase: July 1, 2018 to June 30, 2022, February 2018.”

Views of CAF members on the documents distributed for review 02/22/18. These include “Basic Program Document” and “NSTP—UCR Implementation Procedures.”

Member #1

There are several areas of concern in these documents. One pertains to the larger area of differentiation of faculty (e.g. stratification, advantaging and disadvantaging, and influence and power in the university). This differentiation comes about through salary differentials as a result of market position of programs, disciplines, and individual faculty. Those whose work is more valued by the economic marketplace are privileged compared to those whose work is not deemed valuable economically. Although such a condition already exists, the negotiated salary program can exacerbate this situation. It is already a given that faculty can be compensated for research work over the summer for up to three months of salary. The NSTP extends the financial gains for these same faculty so that they are paid not just for additional summer work but for additional work

during the academic year. Furthermore, those faculty who receive administrative stipends for work carried out during either the academic year or summer months or both are also qualified to receive NSTP. They can thus attain funding for three months of summer work, for administrative work, and for their regular work, and funds from NSTP.

This leads to a second concern, which follows from all of this work and pay from the first concern. That is, the evaluation of faculty work for promotion, tenure, and merit (as well as reviews). The question of what is expected of a faculty member during a year of work is not crystal clear and the NSTP will only make this murkier. First, is work undertaken through NSTP considered as faculty work for evaluation, including promotion, tenure, and merit (and review)? Does this suggest that work under NSTP is work in addition to the expectations for teaching, service, and research or is this a replacement? In what ways are NSTP work to be judged if it involves research or teaching or consulting? Furthermore, if faculty are eligible for NSTP while they are on sabbatical leave, in what ways does the leave conform to requirements and criteria for a sabbatical leave if the work performed under NSTP is primarily for financing salary?

A third concern rests with the additional workload implied by this program: workload specifically for department chairs (and their staff, if they have any). The workload of chairs has increased over the decades with every new initiative of a campus. The cluster hiring, for example, has affected departmental staff (and no doubt department chairs). The NSTP demands a considerable role for department chairs, and such a role will no doubt reduce time that chairs have for academic work (e.g., research and teaching). In this sense, department chairs lose more of their autonomy as a faculty.

Fourth, and finally, the question must be raised on the educational or academic merits of the NSTP. What are the quality outcomes related to the educational mission of the university from NSTP? In what ways does the academic purpose of the University of California- Riverside gain from NSTP? This project has the characteristics of a money-making activity, financially beneficial to select, individual faculty and potentially to some departments and the university if the NSTP can lead to some profits (e.g., funds from release of base funds). But the academic merits of the program are not articulated.

Member #2

I have previously raised a concern about potential conflict of interest. From my old email: "For example, one can easily foresee cases of self-censorship, if not anything else, arising from a conflict of interest and a split loyalty (to the private sector on one hand and to the public on the other). So, I agree that there is a potential impact on academic freedom if this program continues to expand and caution needs to be exercised." The new document contains some references to this and related issues indicating that attention has been paid to this concern. Page 3: "7. Compliance with all applicable University policies (including, but not limited to the Faculty Code of Conduct, Conflict of Interest, and Conflict of Commitment)." Page 13: "NSTP participants remain subject to the requirements of other UC policies including, but not limited to, Conflict of Interest, Conflict of Commitment, Faculty Code of Conduct, Lab Safety, Sexual Harassment Prevention, and policies requiring submission of proposals and receipt of awards for grants and contracts through the University. External consulting and other externally compensated activities will continue to be permitted in accordance with APM 025, Conflict of Commitment and Outside Activities of Faculty Members."

Member 3

My comments below evolved from reading the first part of the document, “General Campus Negotiated Salary Program Implementation Plan.” I did not see many, if any, differences between the general plan and the UCR plan. P. 1 talks about eligible faculty being able to participate at all campuses. But p. 5 suggests departments have the option to participate or not. How does a department decide? If departments can vote 'no,' this disadvantages faculty members in the department that want to participate.

I am unclear on the title “Fund Manager/Department Business Officer,” that is used in the document. See page 7, for example. Is this the same as our contract and grant analyst? Same as FAO? Same as someone in RED?

It is not clear when reading the document where the agency gets involved in the approval process. Does the Fund Manager/Department Business Officer ensure the proposed redirect of external funds is ok with the agency?

The role of CAP in all of this is not so clear to me. I noted that each campus is given latitude to determine the role of CAP in their process. My understanding of CAP is they judge academic performance relative to advancement, and I understand they can also make O/S adjustment recommendations. Are we to infer that CAP will weigh the request for use of the NSTP program against academic achievement? Wouldn't the presence of the funds that support the NSTP request being indicative of whatever information CAP would want to use in their review of the request?