



March 20, 2018

TO: Cindy Larive, Provost

FROM: Dylan Rodriguez, Chair, Riverside Division

A handwritten signature in blue ink, appearing to read "DR", located to the right of the "FROM:" line.

SUBJECT: **Campus Implementation Procedures for the Negotiated Salary Trial Program**

Dear Cindy:

I write with the full Senate response to the NSTP Implementation plan for the campus. All committee responses are attached. In lieu of a full summary, I will mention a few points of significance that surface in this feedback.

There is general sense that NSTP serves an appropriate purpose for attracting and retaining faculty with successful research programs. The primary reservation among respondents seems to be in regard to the existing inequities and deficiencies with salary scales, and the fact that NSTP may be perceived as an intended attempt to address those problems. If such perception becomes moderately widespread, there is reason to anticipate some negative reaction to the implementation of NSTP at UCR. Some responses go further, and echo a concern shared across UC Divisions of the Senate that the NSTP could actually exacerbate existing salary inequities and institutionalize those inequities even further.

There are additional concerns regarding the impact of NSTP implementation on merit/promotion processes/standards (including the role of CAP in evaluating faculty performance), the university's academic and research mission, and the role of NSTP implementation in shaping faculty research/teaching profiles.

I ask that the administration pay close attention to page 2 of the Committee on Planning and Budget response, which details four specific comments on NSTP implementation.

Other critical feedback generally echoes prior rounds of NSTP review regarding the program itself, rather than its proposed campus implementation.

I trust that this will be helpful to the NSTP implementation process.


Peace.

dylan

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?



COMMITTEE ON ACADEMIC PERSONNEL

March 5, 2018

To: Dylan Rodriguez
Riverside Division Academic Senate

From: Vyjayanthi Chari, Chair
Committee on Academic Personnel

A handwritten signature in black ink, appearing to read "Vyjayanthi Chari".

Re: Campus Implementation Procedures for the Negotiated Salary Trial Program

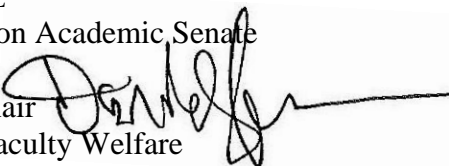
The Committee on Academic Personnel considered the material provided for the Campus Implementation Procedures for the Negotiated Salary Trial Program. It continues to have concerns about the long-term impact of this program and is skeptical about the effects on retention. CAP would like to see language in the CALL which reflects the fact that the expectations for teaching and service are not impacted by this program.

COMMITTEE ON FACULTY WELFARE

March 13, 2018

To: Dylan Rodriguez
Riverside Division Academic Senate

From: Daniel Jeske, Chair
Committee on Faculty Welfare



Re: Campus Implementation Procedures for the Negotiated Salary Trial Program

The Committee on Faculty Welfare considered the material provided for the Campus Implementation Procedures for the Negotiated Salary Trial Program. A majority of the committee approves of the proposal; however, one member expressed the following concerns:

The comments below evolved from reading the first part of the document, 'General Campus Negotiated Salary Program Implementation Plan.' There are not 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.

The title "Fund Manager/Department Business Officer," that is used in the document is unclear. 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 also not clear. The documents note 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?



PLANNING & BUDGET

March 14, 2018

To: Dylan Rodriguez, Chair
Riverside Division

From: Christian Shelton, Chair 
Committee on Planning and Budget

RE: [Campus Review] Proposal: Campus Implementation Procedures for the Negotiated Salary Trial Program

The Committee on Planning and Budget (CPB) discussed the proposed UCR guidelines for implementation of the Negotiated Salary Trial Program (NSTP) on March 13, 2018.

Beyond the specifics of the campus's implementation, CPB had concerns over the further erosion of the UC salary scales. These scales have not been competitive for decades, as witnessed by the off-scale components of many faculty salaries. The NSTP further exacerbates the problem, by providing another mechanism, outside the merit review process, for salary increases. Over time, this has two deleterious effects: First, it promotes unseen salary inequities. A great advantage of UC's merit and promotion system is its fair treatment of all faculty. The NSTP bypasses this system. Second, it gives the appearance of solving the total remuneration gap between UC and comparison institutions (which currently stands at 10%) by focusing on a few individuals with research programs amenable to this program. System-wide Senate Chair Shane White's letter of December 22, 2017 to the UC President details the extent of this gap well:

https://senate.universityofcalifornia.edu/_files/reports/SW-JN-faculty-salaries.pdf

This has long-term budgetary implications, as it will impact UC's ability to push for the necessary increases in state support to maintain competitive salaries. CPB is concerned that by focusing on our ability to retain a few faculty in select areas, we (UCR and UC as whole) may have lost ground in our ability to attract and retain high-quality faculty in all areas.

If the plan is to move forward at UCR (and CPB notes that at least one campus has chosen not to implement the plan), the committee has the following comments on the proposed local implementation guidelines.

1. CPB found minimal short-term budgetary concerns. While it may have long-term budget implications (see above), in the short-term the only risk is from the unexpected cancellation of NSTP-supporting funding.
2. The stipulation that summer salary support opportunities be "maximized" was concerning. This language exists in the UC-wide document, but is emphasized in the UCR policy by stating that nine-month faculty may earn up to three-ninths additional summer compensation. Such compensation is for work performed outside of the normal faculty duties. By contrast, the NSTP is compensation for existing faculty duties. These would appear to be distinct. Further, many faculty cannot spend a full three months on externally compensated duties, as this precludes them from on-campus duties, as demanded by audit regulations.
3. The stipulation that participating faculty must fulfill their research support responsibilities is reasonable. However, the included bolded statement (page 2) that "financial resources may not be diverted from these commitments to fund NSTP participation" is vague. How will this be judged, by whom, and at what stage? What will be the effect if it is not found to hold? It is not clear that it is possible to measure the effect of NSTP participation against the counterfactual of non-participation.
4. The requirement (page 9) that surplus contingency funds be used only to support graduate programs and that it cannot support TAs seems arbitrary. Perhaps this is to draw a line between research support and state support of classroom activities? Yet, there are non-graduate activities that are not state supported (including general research), and it would be difficult to draw a clear distinction between research and teaching at a Research University.

Finally, the committee noted that these guidelines are largely the same as the internal guidelines at UCSD. The last three points above all stem from changes in the UCR guidelines to be more restrictive than those at UCSD.

UNIVERSITY OF CALIFORNIA, RIVERSIDE



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EXECUTIVE COMMITTEE:
COLLEGE OF HUMANITIES, ARTS, AND SOCIAL SCIENCES

RIVERSIDE, CALIFORNIA 92521-0132

February 28, 2018

TO: Dylan Rodriguez, Chair
Academic Senate

FROM: Derek Burrill, Vice Chair
CHASS Executive Committee

RE: Campus Implementation Procedures for the Negotiated Salary Trial Program

The CHASS Executive Committee discussed the Campus Implementation Procedures for the Negotiated Salary Trial Program at the regular meeting on February 28, 2018. The committee still has concerns about inequities the salary program might create across colleges and departments, with social science, arts, and humanities faculty benefiting least from the program. The committee felt the trial program should be extended to allow any campus to join but should not replace efforts to find equitable solutions to salary deficiencies systemwide.

Derek Burrill, Vice Chair
CHASS Executive Committee



March 8, 2018

TO: Dylan Rodriguez, Chair
UCR Academic Senate

FROM: Jan Blacher, Chair
GSOE Executive Committee

A handwritten signature in cursive script, appearing to read "Jan Blacher".

SUBJ: GSOE Executive Committee response to General Campus Negotiated
Salary Trail Program

The Executive Committee members of the GSOE were pleased to see that there will be a phase two of the Negotiated Salary Trial Program (NSTP), beginning July 1, 2018. We concur with the data collection, reporting and implementation procedures described in the basic program document, and look forward to UCR taking part.



February 27, 2018

TO: Dylan Rodriguez, Chair
Riverside Division

FR: Thomas Stahovich, Chair
Executive Committee, Bourns College of Engineering

A handwritten signature in black ink, appearing to read "Thomas Stahovich".

RE: The Negotiated Salary Trial Program, Second Phase

On February 26, 2018, the BCOE Executive Committee reviewed the proposal for The Negotiated Salary Trial Program, Second Phase (February 2018). The committee recognizes the value of enabling faculty with successful research programs to enhance their salary through the Negotiated Salary Program. However, the committee was concerned that this program would diminish the impetus for addressing deficiencies with the current salary scales, which have substantially lagged salaries at comparison institutions for over one and half decades.* This program provides a means of retaining those faculty at the most immediate risk of leaving the UC System without addressing salary deficiencies for the majority of faculty. Additionally, this puts the UC System on the dangerous path to soft salary. Thus, while the committee supports the negotiated salary trial program, the committee also recommends that the UC System should make greater efforts to fix deficiencies in the salary scales.

* UC 2016 Accountability Report:
<https://accountability.universityofcalifornia.edu/2016/chapters/chapter-5.html>

February 28, 2018

TO: Senate Division Chair Dylan Rodriguez

FROM: Maurizio Pellecchia, Chair Executive Committee, School of Medicine

RE: comments on the "General Campus Negotiated Salary Trial Program Second Phase: July 1, 2018 to June 30, 2022 "

The School of Medicine Executive Committee evaluated the document at the February 2018 FEC meeting and has no objections or further comments in regard.

Kind regards,

Maurizio Pellecchia



Maurizio Pellecchia, Ph.D.

Professor of Biomedical Sciences

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