

Non-Senate Faculty
Unit 18: Lecturers & STE
IX New Agreement



Effective Date

- The parties reached agreement on February 5, 2016, after almost a year of bargaining
- The UC-AFT ratified the Agreement on February 29, 2016
- It will be in effect until January 31, 2020

Current Contract Language

(No change from last agreement)

- Art 2 – Academic Freedom
- Art 10 – Personnel Files
- Art 13 – Travel
- Art 14 – Holidays
(minor editorial change)
- Art 15 – Moving Expenses
- Art 16 – Medical Separation
- Art 18 – Resignation
- Art 19 – Reassignment
- Art 28 – Management Rights
- Art 29 – Academic Calendars
- Art 30 – Discipline & Dismissal
- Art 34 – Immigration Reform
- Art 35 – No Strikes/Lockout
(minor editorial change)
- Art 36 – Past Practice
- Art 38 – Severability
- Art 39 – Successors
- Art 41 - Parking

Changes not covered in this training

- Art 1 – Recognition
- Art 3 – Academic Responsibility
- Art 4 – Non-Discrimination
- Art 9- Professional Concerns, Meetings and Programs
- Art 20-Reasonable Accommodation
- Art 23- Summer Session
- Art 25- Union Rights
- Art 26- Release time for Union Business
- Art 27- Payroll Deductions
- Art 32- Grievance Procedure
- Art 33- Arbitration
- Art 37- Waiver
- Sideletters

Article 21

Compensation

- 2015-16
 - 3.2% range adjustment effective May 1, 2016
 - \$215 ratification lump-sum payment if on pay status on Spring 2016 at 10% or greater
- 7/1/16: 3% range adjustment
- 7/1/17: 2.5% range adjustment
- 7/1/18: 2.5% range adjustment
- 2019-20 same range adjustment as non-represented academic employees, including Senate Faculty

Article 21 Compensation (cont'd.)

- 2017, 2018 and 2019 Special Lump Sum Payments
 - Eligibility
 - Non-UCRP
 - Minimum 25% to less than 50% appointment
 - 2 years of service
 - Refer to Article 21, Section F, for eligibility criteria
 - The year after the service year is the payout year
 - 5% of earnings in the applicable service year
 - One-time, non-base building
 - No dues or fees deducted; non-UCRP eligible

Article 5

Description of Unit Titles

- Proper use of Adjunct Professor (paid) and Visiting Appointment titles
 - Adjunct and Visiting Professor responsibilities must include service and scholarly/creative contributions at UC, in addition to teaching assignment(s)
 - Department appointment letters should discuss all three areas of assignment
 - Approval letters will have added wording
 - Teaching load must be less than for Lecturers

Article 6

Academic Year Appointments

- Must appoint on a 9/12 basis when:
 - The intention is to appoint for 3 quarters prior to the commencement of the fall term
- 9/9 only for intermittent appointments

Article 7A

Pre-Six Appointment and Reappointment

- 6% salary increase at the 10th quarter of service.
- New opportunities for pre-6 NSF to gain credit towards continuing status
 - Cross listed courses
 - Previous experience at another UC campus in the same or similar discipline maximum 3 quarters
 - NSF obligated to request
 - At the campus' discretion. Requires AVC approval

Article 7A

Pre-Six Appointment and Reappointment

- Assessment when considering reappointment.
 - Before the decision to reappoint or not
 - In accord with department procedures; must be applied equitably
 - Notify NSF of time, assessment criteria, and form of assessment
 - NSF may provide materials

Anti-Churning

- Pre-six are term appointees with no expectation of reappointment
- However, contract prohibits non reappointment decisions for the purpose of avoiding continuing appointments / status
- The AFT is scrutinizing non-reappointment decisions to determine whether or not there is churning

Article 7B

Process for Achieving Continuing Status/Appointments

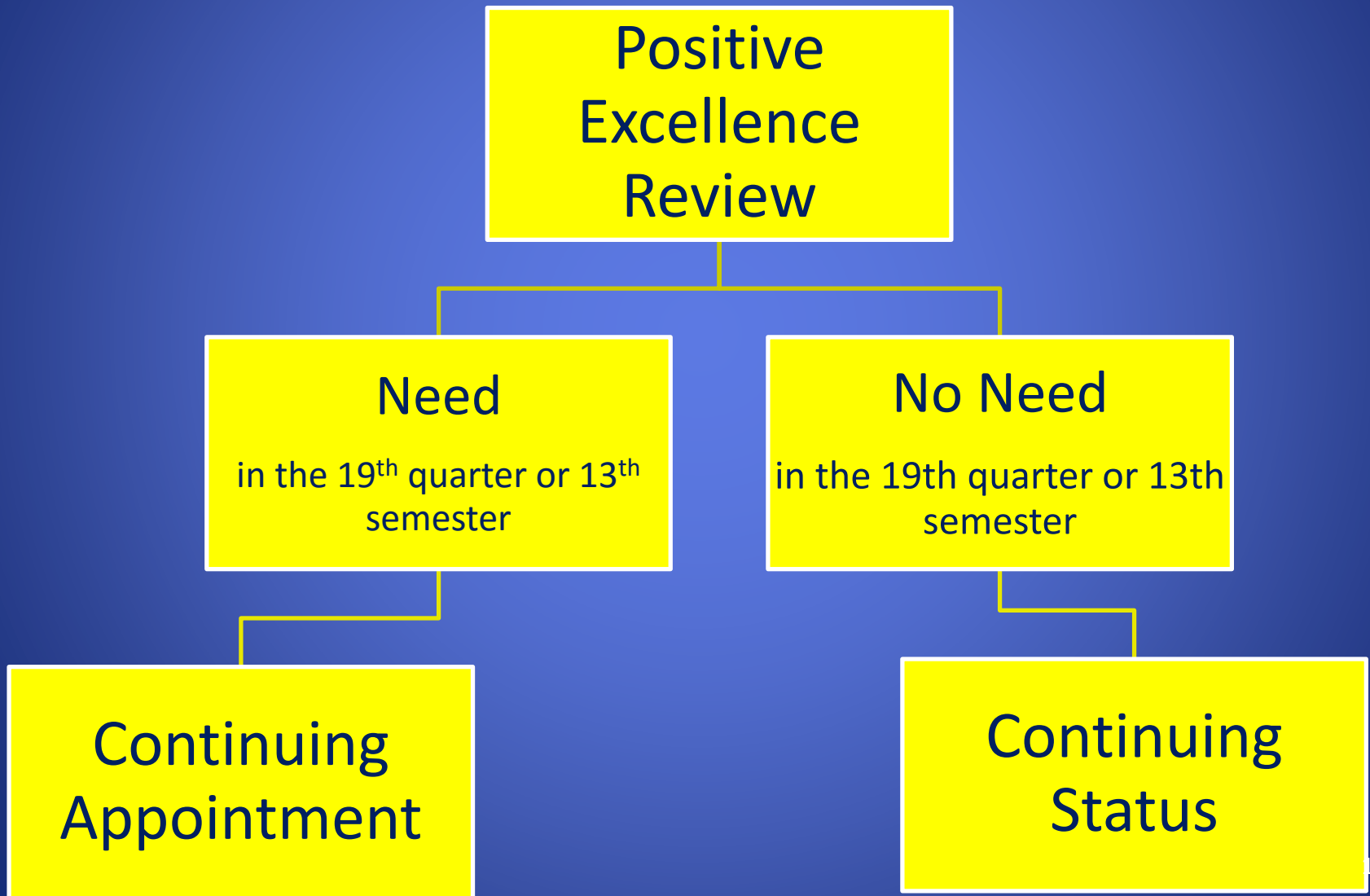
- No more 15th quarter needs request:
 - If appointed to 18th quarter, then need is presumed, and the excellence review must be conducted
- The excellence review will be conducted early in the 18th quarter of service.
 - AP will provide departments with eligibility list in advance of 17th quarter

Negative Excellence Review

- NSF will be released at the end of his/her current appointment and is not eligible for reappointment in the department.

Article 7B

Process for Achieving Continuing Status/Appointments (cont'd.)



Article 7B

Process for Achieving Continuing Status/Appointments (cont'd.)

- Continuing Status – New Concept
 - NSF has continuing status after positive excellence review and after performing service in the 18th quarter.
- Instructional need still occurs, but it doesn't impact continuing status, only the future of the initial continuing appointment.
 - Narrow window for assessment
 - If need does change, NSF will only have continuing status
- NSF with continuing status shall have the right of first refusal for 2 years to NSF work for which they are qualified

Article 7C

Continuing Appointments

- Found to be excellent and instructional need
- The initial continuing appointment percentage is at least equal to that of the previous academic year
- If there is a need to reduce the continuing appointment percentage, consult with AP and LR to assure correct process and notifications.
- Can not reduce the appointment percentage in the year prior to the excellence review or in the excellence review year itself solely to reduce the continuing appointment percentage

Article 8

Instructional Support

- Added internet, web-based tools, and email to instructional resources
- Access to email and online course databases 14 days in advance of the start of assigned teaching responsibilities, whenever practicable, but no later than 1 day after NSF begins teaching
- Access to University email in accordance with local campus policies in effect at the time of separation

Article 8

Instructional Support (cont'd.)

- Campuses must include NSF on:
 - Updatable online schedule of classes
 - Campus online directory
- Departments, programs or units should:
 - List NSF on departmental website
 - List NSF in physical directories, i.e. signage where it exists
 - Provide NSF access to their own faculty web page

Article 11

Benefits

- NSF receive the same UCRP options in the new tier as applied to Senate Faculty regarding cap on pensionable pay and DCP options
- Side-note: New retirement plan considerations on timing for 9/12 appointments

Article 12

Leaves of Absence/ASMD

- Updated to contain all leave information for NSF including:
 - Family Medical Leave (FML)
 - Pregnancy Disability Leave (PDL)
 - 6 weeks paid if eligible
 - Parental Leave
 - Baby-bonding (FML) or non-FML
 - Paid Medical Leave and Sick Leave
 - Bereavement, Jury, Witness, Military/Caregiver Leaves

Paid Medical Leave

- Eligibility
 - Full time appointment for a full academic year
 - Ones own medical condition
- Amount of leave
 - Two quarters in first 10 years of employment
 - Three quarters in each successive 10 year period
- UCSB will continue past practice

Active Service Modified Duties (ASMD)

- Period during which normal duties may be reduced or extra support provided for new parents
- Eligibility
 - Full time appointment for a full academic year
 - Responsible for 50% or more for care of the child
- Birth mother
 - Up to two quarters, including childbearing leave
- Other parent
 - Up to one quarter

Article 22

Merit Review Process

- Minimum of 6% merit increase and in increments of 3%

Article 24

Instructional Workload

- Workload averaging
 - May average workload over two or more adjacent quarters in the same academic year
 - Can only average into a quarter where already employed
 - Total paid appointment may not exceed 100% in any quarter
 - Workload may not exceed three courses at any time

Article 42

On Line Instruction

- The MOU applies equally to NSF teaching an online course or an in-person course
 - Review the online course to determine if the IWC valuation is appropriate under Article 24
- NSF qualified to teach a course shall not be laid off solely because they have to be retrained to teach in an online format

New Article “31”

Pre-Six Mentoring Meeting

- University shall provide verbal feedback for mentoring purposes only
- Offered one time to Pre-6 NSF in the academic year in which the 9th quarter
- Not a formal personnel review
- Feedback given in meeting – positive or negative – shall not be considered in a reappointment decision or in an excellence review
- Verbal feedback from departmental chair or designee

Article “31” – Pre-Six Mentoring Meeting (cont’d.)

- Feedback is based on performance of the most recent 6 quarters
- Use of materials during the mentoring meeting does not preclude their use in future formal academic personnel review
- No obligation to consider materials beyond the following:
 - Student evaluations
 - Classroom visits, if conducted
 - Syllabi / instructional materials

Article “31” – Pre-Six Mentoring Meeting (cont’d.)

- Process
 - Academic Personnel will provide eligibility list in spring for the upcoming year
 - Department shall notify NSF 30 days in advance of the meeting
 - If the NSF declines meeting, he/she must do so in writing
 - Form documenting occurrence of meeting be signed by NSF and Chair and placed into the NSF’s personnel file
 - No documentation of oral feedback
 - Should either party postpone the meeting, the party that postpones must reschedule within 30 days

Questions