

Non-Senate Faculty at UC: A Position Paper

The Present Conditions of Non-Senate Faculty at the University of California and an Overview of UC-AFT's Proposals for Reform

University Council – American Federation of Teachers
(<http://cft.org/uc-aft/>)



Non-Senate Faculty at UC

1. The Use of Non-Senate Faculty at UC

At the present time, half or more of the undergraduate courses at the University of California are taught by non-senate faculty.¹ Most of these are taught by Unit 18 faculty (lecturers and others.) The following pages describe the way in which Unit 18 non-senate faculty are used at the University of California, the current system of appointing and reappointing Unit 18 faculty (with particular emphasis on the system governing long-term use of Unit 18 non-senate faculty), the major problems with that system, and the proposals that UC-AFT have offered to improve that system. In the context of this discussion, and for shorthand, the term “non-senate faculty” (or NSF) will be used simpliciter to refer to Unit 18 non-senate faculty.²

Perhaps the most common use of non-senate faculty at UC is to fill long-term needs in areas that are regarded as non-research positions and that are, therefore, not appropriate for ladder hires. Writing and language programs/departments most frequently use non-senate faculty in this role, but non-senate faculty are also used in this way for various “clinical” positions [e.g. accounting.] There is, of course, the Senate title “Lecturer with Security of Employment” [SOE] which probably ought to be used to cover many of those positions for which there is a permanent need and whose responsibilities are primarily teaching. However, the administration has chosen not to use the SOE title very often and non-senate faculty fill the vast majority of these positions.³

Secondly, non-senate faculty are used to teach lower-division courses, core courses and other such courses that are teaching intensive and/or that ladder faculty are not interested in teaching. (Mathematics and the Natural Sciences seem to be two areas in which non-senate faculty seem to be used heavily in these roles, although there appears to be some variation between campuses.)

Thirdly, non-senate faculty are used to teach courses that are indistinguishable from the kinds of courses that Senate Faculty might teach, for the following reasons:

¹ According to the administration’s own reported data (in the most recent “Undergraduate Instruction and Faculty Teaching Activities Report,” July 2000) non-senate faculty taught 45% of both graduate and undergraduate courses during the last reported year (1998-9). (The University does not currently supply data that would allow this percentage to be disaggregated between graduate and undergraduate teaching.) We believe that this data may actually be an underestimate of the use of non-senate faculty, but given the relative concentration of non-senate faculty in undergraduate teaching, even the administration’s own data suggest that non-senate faculty are probably teaching more than 50% of the undergraduate courses at UC.

² We use the term “non-senate faculty,” rather than “Lecturers” for several reasons. First, some members of our unit are not, in fact, lecturers, but hold positions such as “Coordinator of Field Work” (who are instructors of record, but who primarily conduct independent studies) and “Supervisors of Teacher Education.” Secondly, the term “non-senate faculty” is meant to emphasize that University policies define lecturers, coordinators of field work and supervisors of teacher education as faculty under the University’s policies. (See the definition of faculty in APM 110 (14).) Although many non-senate faculty have spent their careers at UC, too often they are treated as outside workers; and part of the goal of our proposals is to acknowledge the role of non-senate faculty within the institution, while recognizing the crucial differences between senate- and non-senate faculty.

³ As of 1998, there were 112 SOEs systemwide.

- Non-senate faculty may be used to fill in gaps in the curriculum that are a consequence of the fact that hiring decisions for ladder positions are not always based precisely on the teaching needs of the department, or because, for whatever other reasons, there are courses in the curriculum that cannot be covered by existing Senate faculty.
- They may be used in programs that have not yet achieved critical mass or for which the administration is not yet willing to devote permanent FTE. Here, non-senate faculty may be instrumental in helping a program to establish itself and build a student base before the University makes a more permanent FTE commitment.
- Interdisciplinary programs, which “borrow” Senate faculty from other departments, often hire non-senate faculty to fill out the curriculum (e.g. Peace and Conflict Studies at Berkeley, Medieval Studies at Davis,

Fourthly, non-senate faculty may be used to fill in very temporary gaps in the curriculum because of Senate leaves, or because of a temporary demand for certain types of classes.

It should be acknowledged that in many cases, non-senate faculty are used simply because it is far more inexpensive to cover courses through the use of non-senate faculty than by creating Senate, and particularly ladder, positions.

The data that we receive from the University indicate that about 39% of NSF-taught courses are taught by NSF who were originally hired 6 or more years ago, 42% are taught by NSF who were originally hired 5 or more years ago, and 47% are taught by NSF originally hired 4 or more years ago. (Almost 30% of all NSF-taught courses at UC are taught by NSF with post-six year appointments.) However, the issue is not only how long particular NSF have taught at UC, but whether the academic needs that non-senate faculty are filling are long-term needs. In many cases, newly hired NSF are simply replacing courses taught by NSF who have left the University. And to the extent that NSF leave for reasons such as the employment conditions at UC or because of improper policies designed to avoid post-six year reviews, the numbers mask the actual long-term need for NSF. We estimate that the percentage of NSF courses that fill long-term needs (as opposed to, e.g., courses that fill in for Senate faculty on leave, courses that are offered by NSF while a department searches for a Senate position, or courses taught by the occasional professional practitioner or visiting lecturer from industry) is, in fact, substantially above 50%. While some NSF faculty are used to fill genuinely “temporary” needs, it appears that a large majority of courses taught by NSF fill needs that are long-term, and that the institution has simply decided, for whatever reason, that it wishes to fill through the use of non-senate faculty.

And while in many instances, departments hire non-senate faculty to teach a single course or a few courses, almost a third of non-senate faculty (750/2359) have appointments at between 90% and 100%, and half of all courses taught by non-senate faculty are taught by persons with appointments at that level. Almost two-thirds (1519/2359) of non-senate faculty have appointments at 50% or greater and 81% of all non-senate faculty courses are taught by individuals with appointments of 50% or greater. In fact, 26% of courses taught by non-senate faculty are taught by persons who were hired at least 5 years ago *and* who have appointments of

between 90% and 100%, and 38% of courses taught by non-senate faculty are taught by persons who were hired at least 5 years ago and have appointments of at least 50%.

2. The Problem

The general problem is that, despite the University's reliance on non-senate faculty to fill on-going instructional needs, and despite the presence of long-term non-senate faculty, policies governing NSF are structured on—and serve to reinforce—the myth that NSF are essentially “temporary.” Of course, non-senate faculty are “temporary” in the sense that they do not enjoy tenure and in the related sense that they represent the “flexible” portion of the faculty—the portion that can be laid off during a budget crunch or when the needs of departments change. But most UC employees also do not enjoy tenure and can be laid off during a budget crunch or when there is no longer a need for their positions and can be dismissed if they fail to perform at a satisfactory level; and yet no one considers other employees (staff, for example) to be, for that reason, “temporary.” The fact is that no other employees at the University can work full-time for the institution for 15 or 20 years and yet never receive a status beyond a three-year appointment.⁴ As long as there are mechanisms in place for layoff and dismissal, there is simply no reason for continuing to treat all non-senate faculty indistinguishably as though they were temporary employees or filling temporary positions.

It should be said that many departments have recognized the important role of non-senate faculty in filling their long-term instructional needs and have attempted, within the constraints of the present system, to regularize the position of long-term non-senate faculty. But though departments may vary somewhat in the latitude they have to improve conditions for NSF, questions of workload, professional development, salary increases and merit are often beyond their discretion. And, of course, departments cannot change the basic appointment system for non-senate faculty.

The following describes some of the specific problems with the existing system

The Re-appointment System. A central problem with the existing system has been the structure of appointments for post-six year NSF, which is governed by Article 7 of the Memorandum of Understanding. While the MOU, including Article 7, is flawed in many ways, it is plausible that in a different administrative culture, the post-six year structure created by Article 7 might have been applied in a manner, and as part of a system, that regularized the relationship between post-six year NSF and the University. Unfortunately, this has not been the case, and the history of Article 7 has reflected a general unwillingness on the part of the University administration to accept the principle that non-senate faculty who have taught at the University for more than six years, who have passed a major review of their teaching performance, and who are filling on-going instructional needs, should be treated as regular employees of the University, rather than short-term “contract” employees. The history of the post-six year provisions of Article 7 is, in fact, perhaps the best single lens on the larger problem concerning the treatment of non-senate faculty at the University of California.

⁴ There has been a somewhat analogous problem in the abuse of the “casual” staff title, which was recently the subject of a critical state audit. The administration has pledged to reform its practices in this area and has already taken steps to do so.

The first Memorandum of Understanding between the University and UC-AFT was signed in 1986 after two and a half years of negotiation. During the negotiations, the administration's representatives bitterly fought the idea of any job security for long-term non-senate faculty. Only after the direct intervention of former Berkeley Chancellor Ira Heyman (who publicly reprimanded the University's team for its intransigence) was the existing system adopted. That system provided that after six years, NSF who had taught at a single campus for 18 quarters or 12 semesters would undergo a major review of teaching performance (the so-called "eye of the needle" review) and a subsequent review every three years. Provided that the NSF's performance continued to be excellent, and provided that there was a continuing need for the courses to be taught by non-senate faculty, the NSF would be entitled to a three-year appointment.

Despite the MOU, the administration never quite accepted the principle of job security for long-term non-senate faculty. The fifteen years that have elapsed since the signing of the contract have been marked by various attempts to undermine the post-six year provisions of Article 7, and for nearly half of the existence of the contract, UC-AFT has been in litigation over these attempts. Practically before the ink had dried on the MOU, the administration at UCLA unilaterally adopted a policy requiring all non-senate faculty who had completed six years of service, and who were thus eligible for an "eye-of-the-needle" excellence review, to compete against a national search for their positions as part of their post-six year review—despite the fact that they had already competed for their initial appointments. (Such a policy is analogous to requiring ladder faculty, as part of their tenure review, to re-compete for their jobs in a national search.) Because a new hire would begin the six-year clock anew, the consequence of such a policy might well have been that no non-senate faculty need ever be given post-six year appointments. In response to this policy, UC-AFT filed an unfair labor practice with the Public Employment Relations Board (PERB) and in 1988 an Administrative Law Judge ruled that the University's new search requirement violated the MOU.⁵

While this litigation was proceeding, two campuses in 1987 attempted to impose quotas on the number of post-six year appointments that departments could make and to establish a fixed ratio between post- and pre- six year appointments. The administration at UCLA claimed as part of its justification the desire to bring in "new blood" to the departments, but both campuses (UCLA and Santa Cruz) conceded that at the heart of the quota policy was a desire to reduce the cost of paying lecturers by replacing longer-term lecturers with newly hired lecturers. In 1991, after four years of litigation, PERB issued its final decision in the case. The Board ruled that a quota of the number post-six year appointments violated the purpose of the reappointments article (Article 7) and that, indeed, it violated an explicit assurance given by the University's chief negotiator during bargaining that no quotas would be applied.⁶

Recently, after two more years of litigation, UC-AFT settled a third major unfair labor practice with the University administration that stemmed from the administration's announcement that, while post-six year lecturers would be entitled to three-year appointments provided they were judged and excellent and provided there was a continuing need for the NSF position, the appointments would not necessarily be at the level of the University's own actual projected need for the position. On this view, even if the University determined that it would continue to need a lecturer to teach nine courses, it could offer an appointment at one course and either augment that appointment annually or choose to hire a replacement for the additional

⁵ LA-CE-205-H 12 PERC P19173

⁶ SF-CE-272-H, LA-CE-235-H; Order No. 907-H October 1, 1991, 15 PERC P 22166.

courses. Only after the PERB General Counsel's office issued a charge against the University, and under the threat of a PERB hearing, the administration finally agreed to settle this case and formally announced a policy that appointments would be made at the level of a reasonable determination of actual need.

The "search case" and "quota case" on the one side, and the "under-appointment case" on the other, represent bookends on a fifteen-year history of attempts at undermining the spirit and the letter of Article 7. In addition to the policies that led to these cases, some departments have continued to attempt to avoid post-six year appointments altogether by replacing non-senate faculty who are approaching the six-year point with new non-senate faculty hires. Other departments have continued to use Visiting Professor appointments to eliminate post-six year lecturer positions and then to hire new lecturers to replace the Visiting Professors. Still other departments have attempted to eliminate post-six year positions by claiming that the courses would be taught by Senate faculty, although there were, in fact, no Senate faculty available or willing to teach the courses. (At the same time, of course, many departments have fully respected the principle behind the post-six year system of Article 7, and a number of department chairs seems genuinely surprised by the attempts of some departments to undermine that system.)

Abuses aside, the system of post-six year appointments established by Article 7 is itself flawed in some important respects. The basic problem is that it adopts the same basic model for long-term NSF as that which governs short-term appointments. While the terms of appointment for post-six year NSF are longer than for pre-six year (three-year contracts as opposed to one- or two- year contracts), the appointments are still temporary and self-terminating. Each appointment establishes, in essence, a new three-year relationship between the faculty member and the University, much more akin (except with respect to benefits) to the status of an independent contractor than an on-going employee.

The formally temporary status of long-term NSF and the culture that is based on this view of non-senate faculty have created a host of additional problems.

Salaries. The salary and merit structure for non-senate faculty seems designed to create—but in any case has the effect of creating—disincentives for non-senate faculty to remain with the University. In some departments, starting salaries are embarrassing low—as low as \$28,000 for a full-time salary. In many other departments, starting salary is significantly higher. But aside from starting salaries, there is a serious problem in the system of salary increases. It is not at all uncommon, for example, for long-term non-senate faculty to be making the same salary, or in some cases even less, than the salary posted for new appointments in the same position.

Currently, there is no salary scale for non-senate faculty. And in the mid-90s, the administration, citing budgetary pressures, eliminated the long-standing practice of applying the same combined parity/range adjustment to all faculty. The University currently extends the "combined parity-range adjustment" to a number of non-senate titles, including those non-senate faculty who are not represented by a union. (A complete list of these titles is provided as Appendix C.) However, despite the relative erosion of Unit 18 non-senate faculty salaries, the administration has thus far resisted the attempt to apply these adjustments to non-senate faculty salaries.

Under the current merit system, NSF are only entitled to a merit review twice in their careers. (They may be reviewed more often, but at the discretion of the administration.) And

there is currently no requirement that any merit pay increase actually follow from a positive merit review. There is no system for peer review (in contrast, not only to the Senate, but to non-senate academics such as librarians), no requirement for how merits proceed, and no review of merit decisions. Moreover on several campuses, NSF have been informed that, because “excellence” is the standard for reappointment, merit increases are granted only for work above and beyond excellence, and that this requires either publication or University service (for which no compensation or reduction in workload is provided.)

Workload. The existing MOU establishes broad guidelines for workload, but leaves a large amount of discretion to the administration. And while many departments and divisions/schools have set workloads at manageable levels (and would thus not be affected by our workload proposals), there are enormous inconsistencies around the system. Even the number of courses considered to be a full workload may vary from campus to campus.

In many departments, lecturers estimate that, between preparation, class time, grading papers, office hours and the various additional responsibilities that are part of these labor-intensive courses, they spend between 22 and 30 hours per course. In a number of writing programs, non-senate faculty are simply unable, because of the time involved, to teach at 100%. Some departments (particularly Writing Programs) have refused to give non-senate faculty a full workload on the grounds that it would be difficult for a conscientious instructor to teach 3 courses in a quarter; and, for the same reason, some non-senate faculty have to take voluntary reductions in order to teach at only 50 or 60 hours a week.

Moreover, and although the University has not provided systematic data on this, all of the reports that we receive indicate that workload has been increasing over the past number of years. The increases have come in several forms. In many departments, class size has increased. In lecture courses where teaching assistants assist with the grading, this has resulted in only a marginal increase in workload. However, in labor-intensive courses such as writing and languages, where a large portion of the work comes in grading student papers and meeting individually with students, an increase in class size of 10-15% is equivalent to teaching an additional section. Moreover, some campuses have increased the number of courses they require of NSF, in some cases beyond the 9-course “maximum” that the MOU allows.⁷

In addition, non-senate faculty are frequently required to perform duties for which they are not compensated. They are often asked to perform departmental committee work, to participate in preparing departmental reports, to represent departments at academic fairs and other campus events, to advise students, and to supervise independent studies. In some fields, they may be asked to maintain equipment or labs. While many departments do offer course equivalencies for this work, many departments either do not offer equivalencies at all, or offer equivalencies that do not match the work that is expected.

⁷ The MOU provides that, for purposes of the 9-course maximum, a course is defined as one that is “regularly scheduled, requires significant academic preparation outside the class by the instructor, and meets a minimum of three (3) hours per week.” Several departments have thus decided to count a second section of a writing or language course as only 50% or 75% of a course on the grounds that the second section does not require additional preparation. The obvious fact, however, is that almost all of those courses for which it would make sense to offer a second section (generally writing and language courses) are smaller, labor-intensive courses in which the bulk of the work is not preparation, but comes in the form of grading and meeting students.

Professional Development. While privately many departments will acknowledge that instructional excellence requires on-going professional development (and while some departments even formalize this by conditioning reappointment and/or merit increases on engagement in professional activities), NSF are generally required to engage in professional development on their own time and at their own expense. Once again, this is a system that treats even long-term, full-time NSF as independent contractors (who are generally expected to provide their own “tools” and on-going training), and that relies, once again, on the myth that all non-senate faculty serve temporary stints at the University as a side-job or in preparation for a “real job.” Some campuses do provide small grants for which non-senate faculty may apply; and at least one campus (Davis) has begun to develop a proposal for paid leave for long-term non-senate faculty. But there is no systemwide structure for supporting professional development that is directly related to instructional responsibilities.

Access to Instructional Support. On several campuses, non-senate faculty are denied access to a basic level of equipment necessary to perform their jobs. Some of the most egregious cases have been found at UC Riverside where, for example, in the Writing Program, three full-time NSF are assigned to a single office. Initially, the department refused to install a single phone for the entire office, and even now has refused to install a single computer in each office with e-mail or internet access. In fact, most of the computers that are assigned to non-senate faculty in the department are discarded computers from staff or senate faculty. In the same department at UCR, NSF are limited to 700 photocopies per course and are charged personally for any excess copies.

Marginalization of Non-Senate Faculty within the Campus Community. The view of non-senate faculty as essentially temporary “contract” employees has, on most campuses, resulted in the marginalization of non-senate faculty within the broader campus academic community. Thus, for example, while students are often invited to sit on Senate committees, on only two campuses (Davis and Santa Barbara) has there been a practice of inviting non-senate faculty to participate on Senate committees. While the question of whether to include non-senate faculty on Senate committees is obviously a matter for the Senate to decide and is not the subject of these negotiations, there ought to be some forum within which non-senate faculty can discuss general academic concerns and in which issues particularly affecting non-senate faculty can be raised.

Too often, however, campus administrations have resisted such attempts. In one recent case, the Academic Senate specifically requested that the administration establish a taskforce to discuss some issues of concern to non-senate faculty that were not related to collective bargaining. The administration refused to establish such a taskforce, claiming (absurdly) that it would be illegal to do so.

In contrast, UC Davis has long had an “Academic Federation” which represents non-senate faculty on matters outside of collective bargaining and which has been supported by the campus administration. The Federation has had good relations with the Senate; and so, for example, when the Senate recently decided to conduct a review of the writing program at Davis, it included a representative of the Federation on the taskforce. In many ways, UC Davis has been a leader among the campuses in developing new programs and opportunities for non-senate faculty; and the existence of the Federation—with the attendant opportunities for discussion with both the administration and the Senate—is probably a large part of this.

It may not be feasible to establish an equivalent to the Academic Federation on each campus, but there needs to be some kind of forum in which representatives of the Senate, members of the administration and non-senate faculty can discuss issues of concern.

3. Proposals for Reform

UC-AFT's proposals are intended to help establish a system that properly recognizes the existing role of non-senate faculty within the University and the demands that are placed on that faculty. Such a system is necessary if the University is going to continue to rely on non-senate faculty to help teach a substantial portion of the classes at UC—and by all accounts, the use of non-senate faculty is expected to increase (at least in absolute, and quite likely in relative numbers) in the coming decade. If the University is genuinely committed to improving the quality of education—and particularly undergraduate education—that it delivers to students, and if it is going to continue to rely on non-senate faculty to help deliver that education, it must reform the relationship between the institution and non-senate faculty. It must be prepared to offer salaries that can attract and retain first-class non-senate faculty; it must be prepared to establish workload levels that allow non-senate faculty to offer the attention to students that students deserve; it needs to take seriously the role of professional development in maintaining the ability of long-term non-senate faculty to teach at a level of excellence; and it needs to establish fair grievance mechanisms to protect against the abuses that are visited upon those who otherwise lack protection for academic freedom. And it is imperative for the University to integrate non-senate faculty within the general campus community by establishing forums in which non-senate faculty can contribute to discussions of campus concern and can raise issues that are of particular concern to non-senate faculty.

What follows is a description of the general principles underlying UC-AFT's major proposals and a summary of those proposals. The full text of the proposals is provided in Appendix A. Appendix B contains a specific comparison between the existing provisions of Article 7 (Appointment and Reappointments) and the system that we are proposing.

Appointment and Reappointment (Article 7)

Basic Principles:

- Where there is an on-going need for courses to be taught by non-senate faculty, the University should be committed to creating long-term, and (where possible) full-time NSF positions to fill this need.
- The University should recognize the potential for abuse in the exercise of discretion and should be committed to creating processes to ensure that decisions are made on the basis of proper criteria.
- UC-AFT recognizes that NSF positions may be eliminated or reduced as the need for courses to be taught by non-Senate faculty is reduced.

- UC-AFT recognizes the legitimate need for probationary periods to determine the qualifications of NSF.
- The University and UC-AFT recognize that no MOU can adequately cover all prospective situations and should be committed to establishing collaborative processes for dealing in good faith with problems that arise.

Proposal Outline:

NSF – First Six Years

- a. The performance of all pre-six year faculty members in the unit shall be evaluated in consideration for reappointment before the expiration of each appointment unless the University determines that the courses for which the faculty member was appointed will no longer be offered or will no longer be taught by NSF.
- b. The University shall not be obligated to give priority to a pre-six year faculty member over a new candidate. However, the University shall not deny reappointment to pre-six year faculty for the exercise of academic freedom, for discriminatory reasons or to avoid post-six obligations.
- c. The evaluation for pre-six year faculty members shall, where practicable, include a peer review component.
- d. NSF who have taught for six years shall receive a “continuing appointment” so long as they pass a major review and there is a continuing need for courses for which they are qualified to be taught by non-senate faculty.

NSF – Post-Six Years

- a. Once a post-six year faculty member has been reviewed as excellent and given a continuing appointment, the presumption is that s/he will enjoy continued employment provided that his/her courses will be taught by non-senate faculty and s/he continues to perform up to the standards of the job.
- b. Post-six year faculty members shall be appointed at a level commensurate with their past appointments and continuing need for the courses they have historically taught.
- c. Post-six year faculty members who teach at less than 100% time shall be given priority in assigning courses which they are qualified to teach.
- d. Post-six year faculty members shall be evaluated using a system which includes, where practicable, a peer review component.

- e. The University shall have discretion to reduce appointments or to lay off NSF, with proper notice, when courses which the NSF is qualified to teach will no longer be offered or will no longer be taught by NSF.

Salary and Merit Pay (Articles 22 and 23)

Basic Principles:

- Attracting and retaining excellent, highly-educated and experienced non-senate faculty is central to fulfilling the teaching mission of the University.
- Criteria for placement and advancement on any salary structure should be clear and uniformly applied throughout the system.
- Excellent teaching should be recognized and rewarded through regularized merit reviews and increases.

Proposal Outline:

- a. Establishment of a minimum salary scale which places people according to education level and experience. (Salary proposal is included at end of document.)
- b. A merit system with clear standards and that requires merit reviews every three years.
- c. Re-establishment of the system of range adjustment “parity” with senate faculty and various non-senate titles that was eliminated in the mid-nineties.

Workload (Article 25)

Basic Principle:

- Providing a high-quality University education is part of the mission of the University of California. Workload levels should be established that allow non-senate faculty to provide quality instruction and that recognize the variety of additional (non-classroom) duties that non-senate faculty may be required to perform.

Proposal Outline:

Non-senate faculty shall have a maximum workload of 8 quarter courses or 35 academic units (or an equivalent number of semester courses and units), at least one course of which is specifically designated for non-classroom duties, including independent studies, student advising, student outreach, departmental committee work and other departmental and University service.

Professional Development and Instructional Support (Articles 8 and 9)

Basic Principles:

- On-going instructional excellence requires that faculty be engaged in ongoing professional concerns and that they be active members of their professional communities.
- The University should be committed to supporting the on-going professional development of its non-senate faculty when such professional development is directly related to a non-senate faculty member's area(s) of instruction.
- Effective instruction requires adequate technical support. The University should be committed to ensuring that non-senate faculty have access to computers and other equipment related to their instructional duties.
- Non-senate faculty have an important role to play in discussion and analysis of areas affecting their students and the disciplines in which they teach. The parties should be committed to establishing forums within which such exchanges can take place.
- Non-senate faculty members have intellectual property rights in the work they produce and that those rights should be protected.
- The parties recognize that distance education may be appropriate in some cases. The parties should also recognize that such distance education, if used inappropriately, has the potential to undermine the quality of education and to violate the intellectual property of faculty members. The parties should share a commitment to ensuring that distance education is not used to undermine the traditional role of faculty, to undermine the intellectual property rights of faculty, or to sub-contract work that would otherwise be performed by non-senate faculty.

Proposal Outline:

- a. Establishment of an advisory council on each campus to be composed of two non-senate faculty chosen by the union, two representatives of the administration, and (with the consent of the local Academic Senate) two members of the Academic Senate chosen by the Senate. The Council shall have general authority to advise the administration on policies affecting the work of non-senate faculty and on matters of general concern. To the extent that the work of the Council results in proposals within the scope of representation as defined by HEERA, the University shall meet and confer with the union before implementing those proposals.
- b. Establishment of a fund for professional development grants for non-senate faculty. The University will contribute \$500/year per non-senate faculty member for the grant pool. Grants are not an entitlement and require application. The method for distributing grants shall be established by the Advisory Council.

- c. Establishment of a fund for instructional support for non-senate faculty. The University will contribute \$500/year per non-senate faculty member for the instructional support pool. Instructional support funds are not an entitlement and require application. The method for distributing funds shall be established by the Advisory Council.
- d. Non-senate faculty who have taught at the University for six years or more may apply for one quarter of paid leave once every 3 years to pursue work directly related to their teaching. Paid leave is not an entitlement and requires approval of a grant proposal submitted to a faculty body. The method for judging applications will be established by the Advisory Council. The University will be committed to providing funds adequate to support these grants. Non-senate faculty will be held accountable for the work they do during the professional development leaves as part of their personnel reviews.
- e. All distance education courses not taught by Senate faculty will be taught by unit members. Unit members who develop instructional materials for distance education courses shall retain ownership of such materials.
- f. All course materials, lecture, etc. developed by a unit member shall be considered the exclusive property of the unit member unless s/he has been provided with specific, paid time to produce such materials, in which case ownership shall be shared 50%-50%. In the event the Senate faculty address this issue in a different manner, UC-AFT will have the option of adopting such policy.

Grievance Procedures (Article 34)

Basic Principle:

- In order for an agreement to be meaningful during its term, a binding, neutral third-party dispute resolution mechanism must be available.

Proposal Outline:

- a. All provisions under the MOU, including non-discrimination, should be arbitrable.
- b. In response to administration concerns about review of academic judgments by outside arbitrators, the parties should work with the Academic Senate to find an alternative, internal form of neutral dispute resolution.

Lecturer's Salary Schedule - UC AFT Proposal Presented March 16, 2001

effective 10/1/2000						
<u>Step</u>	<u>Years at Step</u>	<u>Annual</u>	<u>Monthly</u>	<u>9-month</u>	<u>10/1/01 and 10/1/02</u>	
1	1	35,916.00	2,993.00	3,990.67	Increase Scale	
2	1	37,608.00	3,134.00	4,178.67	by percentage of	
3	1	39,348.00	3,279.00	4,372.00	general range	
4	1	41,148.00	3,429.00	4,572.00	adjustment and	
5	1	42,744.00	3,562.00	4,749.33	special adjustments	
6	1	44,820.00	3,735.00	4,980.00	to Senate Faculty,	
7	1	46,908.00	3,909.00	5,212.00	if any.	
8	1	49,066.00	4,088.83	5,451.78		
9	1	51,408.00	4,284.00	5,712.00		
10	1	53,976.00	4,498.00	5,997.33		
11	2	56,592.00	4,716.00	6,288.00		
12	2	59,136.00	4,928.00	6,570.67		
13	2	62,064.00	5,172.00	6,896.00		
14	2	64,980.00	5,415.00	7,220.00		
15	2	68,364.00	5,697.00	7,596.00		
16	2	71,232.00	5,936.00	7,914.67		
17	2	74,952.00	6,246.00	8,328.00		
18	2	78,336.00	6,528.00	8,704.00		
19	2	82,068.00	6,839.00	9,118.67		
20	2	84,492.00	7,041.00	9,388.00		
21	2	88,716.00	7,393.00	9,857.33		
22	2	92,784.00	7,732.00	10,309.33		
23	2	97,800.00	8,150.00	10,866.67		
24	2	102,540.00	8,545.00	11,393.33		
25	2	110,340.00	9,195.00	12,260.00		

Placement on Scale:

Experience:

<u>Bachelors</u>	<u>Step</u>	<u>Masters</u>	<u>Step</u>	<u>Ph.D. Cand.</u>	<u>Step</u>	<u>Ph.D.</u>	<u>Step</u>
0-3 years	1	0-3 years	2	0-3 years	3	0-3 years	4
3-5 years	2	3-5 years	3	3-5 years	4	3-5 years	5
over 5 years	3	over 5 years	4	over 5 years	5	over 5 years	6

1. These wage rates and placements represent the minimums applicable to Unit 18 Lecturers
2. No individual lecturer shall have his/her wages reduced as a result of changes in wage structure
3. Placement above minimums is at the sole discretion of University management
4. In the event a Unit 18 member obtains additional degrees during his/her tenure, s/he shall be made whole by movement up the scale