

NC STATE UNIVERSITY

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September 26, 2008

MEMORANDUM

TO: Chancellor James L. Oblinger
FROM: Contract Review Task Force
SUBJECT: Final Report on Employment Related Contracts

The Contract Review Task Force met five times to consider the questions in your appointing memorandum of July 15, 2008, and your formal charge to the group at its first meeting. This report summarizes the group's observations and recommendations.

Given the Task Force's limited lifespan as an ad hoc group, its recommendations would need to be accomplished by others within the institution. The Task Force attempted to identify the individuals or entities that might logically take the lead in moving each recommendation from a suggestion to an outcome. Some recommendations suggest that an idea be "considered," by which we intend that such an option may warrant further institutional investigation and consideration, rather than implying that "the Task Force specifically recommends adopting this idea."

The group worked collegially and collaboratively throughout its sessions to identify relevant issues and possible action steps. The members appreciate the opportunity to contribute suggestions that may enhance institutional policies, processes, and outcomes.

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Jo-Ann Cohen, College of Physical & Mathematical Sciences

Tony Harrison, English

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Terree Kuiper, Human Resources

Sarah Lannom, Legal Affairs

Harvey Lineberry, College of Agriculture & Life Sciences

Jim Martin, Faculty Senate

Matt Ronning, Sponsored Projects & Research

Katie Perry, Office of the Provost

Connie Reno, College of Engineering

Christy Scheid, Athletics

Laurie Textor, Human Resources

Michael Walker, College of Textiles

Joanne Woodard, Office for Equal Opportunity

CHARGE 1

Review pertinent UNC-GA and NC State policies and regulations for clarity, completeness, and consistency. Make recommendations on wording improvements, particularly regarding relevant policies, rules, and regulations (PRRs) at the campus level.

CHARGE 1 – OBSERVATIONS

The Task Force reviewed numerous policies and regulations to inform its discussions on contracts. The Task Force's recommendations with regard to PRRs range from technical corrections to broad renovations.

- A. There was a general sense that important information is scattered throughout many different policies and regulations. Where the Task Force identified examples of inconsistency, redundancy, or lack of specificity, recommendations are provided below in the Recommendations table below.
- B. The PRRs have been created and edited over time, sometimes in reaction to specific issues or problems. Some Task Force members found it difficult to detect in the PRRs an overarching “organizational ethos,” or to identify broad tenets that guide institutional decisions.
- C. Lack of “ownership” of the PRRs at the campus level can lead to interpretation-shopping and confusion on who has the final word.
- D. Some, but not all, UNC-GA policy language is replicated in campus PRRs, so users may be unaware of some UNC-GA requirements.
- E. The old Faculty Handbook was felt to have had value and cohesiveness that is not replicated on the current PRR website. As the PRR website is currently organized, it is difficult to see the “complete set” of policies – and to be confident that you haven't overlooked a PRR that may contain information relevant to your question or issue.
- F. More guidance from UNC-GA in the form of consistent and well-documented policy interpretations, as well as more substantive training for the campuses regarding EPA personnel policies, may be beneficial.
- G. To capture essential information for its own discussions, the Task Force found it helpful to develop a chart on contracts and at-will appointments (*draft copy attached*).
- H. The Task Force largely believed that fixed-term contracts bind the institution without binding the individual and that there is little consequence if an individual on contract quits before the end of their contract term. However, at minimum, better-articulated institutional expectations with regard to individuals giving advance resignation notice would be perceived as helpful.

- I. The Task Force identified campus confusion around the processes required for “promotions” (advancement in rank) of special faculty. It is required that special faculty go through a review process similar, though not identical, to that of regular faculty; however, this review process could inadvertently be circumvented if an individual is simply issued a subsequent contract at a higher rank.
- J. A few of the recommendations below are not directly related to contract matters; however, the Task Force felt such suggestions might be beneficial considerations for the institution.

#	CHARGE 1 – RECOMMENDATIONS	SUGGESTED RESPONSIBLE PARTY(IES) <i>(Implementation Horizon)</i>
1.1	<p>USE CHART</p> <p>Make available to the campus community the “Contracts & At-Will Appointments” chart initially developed by the Task Force for its own use. The chart provides “at-a-glance” answers to many appointment-related questions. Charge one specific office with responsibility to maintain and update the chart whenever applicable UNC-GA policies or campus PRRs change.</p>	<p>EPA Coordinator, Human Resources</p> <p><i>(Short term)</i></p>
1.2	<p>CLARIFY CONTRACT TYPES</p> <p>Further clarify in the PRRs the difference between “fixed term” and “probationary” contracts, and utilize the terminology consistently in reference to the applicable employee types.</p> <ul style="list-style-type: none"> • <u>Fixed-term contracts</u> apply to special faculty and to applicable EPA non-faculty professionals, and carry no expectation of subsequent appointment at the end of the identified term of employment. • <u>Probationary contracts</u> apply exclusively to non-tenured, tenure-track faculty (instructors, assistant professors, and untenured associate professors), where there is a general expectation that there will be a reappointment. 	<p>PRR Advisory Committee</p> <p><i>(Short term)</i></p>
1.3	<p>CLARIFY APPOINTMENT TERMINOLOGY</p> <p>Clarify the terms “appointment,” “reappointment,” and “subsequent appointment” and correct/align their usage in all PRRs and related communications.</p> <ul style="list-style-type: none"> • Restrict use of the term <u>appointment</u> to mean the appointment of a candidate to a position for which the hiring unit has either (a) conducted a competitive job search or (b) obtained an authorized search waiver. Such an <u>appointment</u> scenario applies whether the individual is an external candidate, or if they are an internal candidate who is currently employed by the institution in a different position number. Compensation associated with <u>appointments</u> is established under NC State’s authorized management flexibility and DOES NOT require BOG approval. <p style="text-align: right;"><i>Cont’d</i></p>	<p>PRR Advisory Committee</p>

	<ul style="list-style-type: none"> • Restrict use of the term <u>subsequent appointment</u> to any appointment which follows a prior appointment to the same position number and for which no search or search waiver was necessary, because the subsequent appointment involves the same -- or very similar duties -- as the prior appointment. Compensation changes associated with such <u>subsequent appointments</u> DO require BOG approval, if a salary for the prior appointment existed as of the previous June 30 (i.e., if the person had received salary during the previous fiscal year), and if the new salary is at least 15% and \$10,000 above that previous June 30 salary. • Restrict use of the term <u>reappointment</u> to the renewal of probationary contracts of non-tenured, tenure-track faculty (instructors and assistant professors -- and, possibly, untenured associate professors, depending on the outcome of Recommendation 1.5 below). Compensation changes associated with such subsequent appointment require BOG approval if they are at least 15% and \$10,000 from the previous June 30 salary. • Do not use the terms <u>renewed appointment</u> or <u>appointment renewal</u>. 	<i>(Longer term)</i>
1.4	<p>CORRECT POST DOC APPOINTMENT MAXIMUM</p> <p>In the short term, update POL 05.15.1, sec 1.2.1.2, and REG 05.55.2, sec 3.2.1d, on post docs, to reflect the 5-year (rather than a 3-year) total appointment maximum to reflect current approved practice. These can be handled as technical corrections. In the longer term, implement Recommendation 1.6, which would replace much of the current language with newly-organized PRR content.</p>	<p>Legal Affairs</p> <p><i>(Short term)</i></p>
1.5	<p>CLARIFY REAPPOINTMENTS OF UNTENURED ASSOCIATE PROFESSORS</p> <p>In the short term, clarify in POL05.20.1 whether -- in the case of an "initial" probationary contract of 2, 3, or 4 years (rather than the maximum allowable 5), the "up or down" (tenure/non-reappointment) decision must happen within that appointment, or whether a subsequent probationary contract for the remainder of the 5 years is allowed. The word "initial" implies there could be a "subsequent" probationary contract, which may not be the intent.</p> <p>In the longer term, implement Recommendation 1.6.</p>	<p>Academic Affairs</p> <p><i>(Longer term)</i></p>
1.6	<p>REORGANIZE PRR CONTENT BY EMPLOYEE TYPE</p> <p>Reorganize campus POL 05.15.1 (Employees Exempt from the State Personnel Act) and other topical PRRs into more specific PRRs (or suites of related PRRs) based on the characteristics and requirements of each employee type.</p> <p>The Task Force recommends stand-alone, comprehensive policies on --</p> <ul style="list-style-type: none"> ○ Regular (Tenured & Tenure-Track) Faculty ○ Special (Contingent / Non-tenure-track) Faculty ○ EPA (Non-faculty) Professionals ○ Post Docs 	<p>PRR Advisory Committee</p> <p><i>(Longer term)</i></p>

1.7	<p>CLARIFY TITLING CONVENTIONS</p> <p>Clarify whether "adjunct," "visiting," "teaching," and other modifiers may only attach to "asst professor," "assoc professor," and "professor" titles, or may attach to "instructor," "lecturer," and "senior lecturer." If so, in the short term, better define in REG 05.20.34 the circumstances under which each is appropriate. In the longer term, incorporate as part of Recommendation 1.6.</p> <p>After clarification, audit to ensure compliance with PRR titling conventions and clean up any outstanding issues.</p>	<p>Academic Affairs</p> <p>Human Resources + Appointing Units</p> <p><i>(Longer term)</i></p>
1.8	<p>CLARIFY "INSTRUCTOR" APPOINTMENT LIMITS</p> <p>Clarify campus POL05.20.1, section 5.1.1b, which currently reads, "Before the end of the instructor's fourth year, <i>excluding years of service as an instructor while an active candidate for a graduate degree [emphasis added]...</i>" This language is confusing, because, by definition, virtually all Instructors are active candidates for degrees.</p>	<p>PRR Advisory Committee + Academic Affairs</p> <p><i>(Short term)</i></p>
1.9	<p>CLARIFY "ADJUNCT" SUBSEQUENT APPOINTMENTS</p> <p>Clarify in REG 05.20.34 that adjunct appointments subsequent to the initial appointment are permissible.</p>	<p>Academic Affairs</p> <p><i>(Short term)</i></p>
1.10	<p>CLARIFY "ADJUNCT" & "VISITING" PAY STATUS</p> <p>Clarify in REG 05.20.34 whether adjunct and visiting appointments are to be "paid" or "unpaid," (or whether either is fine) – and how to handle such pay statuses in the HR System.</p>	<p>Academic Affairs + Human Resources</p> <p><i>(Longer term)</i></p>
1.11	<p>AUDIT FOR COMPLIANCE WITH "VISITING" APPOINTMENT LIMITS</p> <p>Current PRRs limit visiting appointments to two serial 1-year term contracts, then at least a 3-year break before another visiting appointment. Task force members felt that this may be poorly understood / enforced on campus and that there may a number of visiting faculty members at the university longer than 2 years.</p> <p>Audit Visiting Faculty appointments and correct any non-compliant appointments.</p>	<p>Human Resources + Appointing Units</p> <p><i>(Short term)</i></p>
1.12	<p>CLARIFY ACADEMIC HOME DEPARTMENT FOR SPECIAL FACULTY</p> <p>Clarify in the PRRs on special faculty whether appointment to a special faculty rank (other than extension "field faculty") requires appointment within a designated academic "home" department, and better publicize the listing of "academic departments" that are authorized to make special faculty appointments.</p> <p>Consider whether additional units should be defined as "academic units" for the purpose of awarding academic rank, particularly for field faculty appointments.</p> <p style="text-align: right;"><i>Cont'd</i></p>	<p>Academic Affairs</p>

	<p>In some cases, an individual employed by one department (typically, an administrative, non-academic unit) may be awarded a special faculty rank through an academic department. Determine a process by which the employing administrative department (which is responsible for updating & maintaining all of the employee's personnel information, including rank, in the HR System) and the rank-awarding academic department can optimally maintain the individual's rank information.</p>	<p>Human Resources + Employing Units</p> <p><i>(Longer term)</i></p>
1.13	<p>CLARIFY "ACADEMIC TENURE" FOR SPECIAL FACULTY</p> <p>Clarify in REG 05.20.1 in the short term, (and incorporate into Recommendation 1.6 in the longer term), the applicability of the concept of academic tenure with regard to special faculty, within the term of their contract appointments.</p>	<p>Academic Affairs</p> <p><i>(Longer term)</i></p>
1.14	<p>CLARIFY "TIME-LIMITED" EPA APPOINTMENTS & SEARCH WAIVERS</p> <p>Further clarify the "exceptional circumstances" described in REG 05.55.2, sec. 3.2, <i>Exceptions to the EPA Recruitment Process</i>, where hiring units may employ individuals in "time-limited" appointments of up to one year (renewable for a second year) or may waive a search.</p> <p>To reduce confusion, adopt different terminology (replace the current "time-limited" language) in reference to the short-term waiver and appointment process used for EPA appointments of a year or less.</p>	<p>Human Resources + Office of Equal Opportunity</p> <p><i>(Longer term)</i></p>
1.15	<p>CLARIFY USE OF "IN RESIDENCE" & RELATED TITLES</p> <p>Clarify the use of titles such as Scholar in Residence, Writer in Residence, Executive in Residence, Visiting Scholar, etc. Determine whether such titles are considered EPA non-faculty professional appointments -- or if they are to be considered as "working titles" only, for individuals who also hold special faculty rank -- in order to clarify whether contracts are allowable and/or appropriate. Reflect in PRRs and HR System.</p>	<p>Academic Affairs + Human Resources</p> <p><i>(Longer term)</i></p>
1.16	<p>ARTICULATE RESIGNATION "NOTICE" EXPECTATIONS</p> <p>Articulate in appropriate PRRs that the institution expects at least two weeks advance notice of resignation by FLSA Non-Exempt SPA staff, and at least a one-month notice by FLSA-Exempt SPA staff (if allowed by State Code) and by all EPAs. This will be helpful to both employees (who often ask how much notice they need to give) as well as to the employing units.</p>	<p>PRR Advisory Committee + Human Resources</p> <p><i>(Short term)</i></p>
1.17	<p>SALARY ADJUSTMENTS WITHIN 90% OF THE SUPERVISOR'S</p> <p>Unless mandated by BOG policy (and Task Force could not find any evidence that it is), delete the requirement from campus REG 01.20.1 (Delegation of Authority) where a pay adjustment that would bring an employee's salary to within 90% of his/her supervisor's salary must be approved by the Chancellor, or authorize delegation below the level of the Chancellor.</p>	<p>PRR Advisory Committee</p> <p><i>(Short term)</i></p>

1.18	<p>IMPROVE PRR WEBSITE</p> <p>Without returning to hard-copy handbooks, several suggestions are recommended to make the current PRR website more user-friendly and more "handbook-like" in feel and functionality, including:</p> <ul style="list-style-type: none"> • Have a more intuitively organized "Table of Contents" – similar to the UNC-GA Policy Manual Table of Contents -- where the reader can scan all policy titles on a single webpage. See http://www.northcarolina.edu/content.php/legal/policymanual/contents.htm#ch100 • Include PRR #s on the table of contents (like GA's), to make it easier to find a specific item by its PRR number. • Develop customized "portals" that take the user to collections of the PRRs most useful or applicable to them (e.g., a portal for special faculty) • When distributing announcements of recent PRR changes after University Council meetings, include not only the URL link to the updated policy, but also include a brief summary of the changes from the previous version. 	<p>Legal Affairs + PRR Advisory Committee</p> <p>Chancellor's Office</p> <p><i>(Longer term)</i></p>
1.19	<p>REVIEW PROMOTION / SUBSEQUENT APPOINTMENTS OF SPECIAL FACULTY</p> <p>The processes by which special faculty may progress in rank – including whether a subsequent appointment could be directly to a higher rank – should be better clarified and articulated.</p>	<p>Academic Affairs + Deans</p> <p><i>(Longer term)</i></p>

CHARGE 2

Make recommendations for the future regarding what types of University employees should appropriately have fixed-term contract appointments.

CHARGE 2 – OBSERVATIONS

Under current State of NC, UNC, and campus policies and regulations:

- A. SPA employees are subject to the provisions and protections of the State Personnel Act and hence may have neither “contracts” nor “at-will appointments.” No changes to current SPA practices are recommended herein.
- B. Faculty members with permanent tenure may have neither contracts nor at-will appointments with regard to their tenured faculty appointments. No changes to current practices on tenured faculty are recommended herein, except that the at-will nature of a faculty member’s appointment to any SAAO position should be clarified.
- C. Non-tenured, tenure-track faculty must have probationary contracts and may not be appointed at-will. No changes to current practices are recommended herein, except that the at-will nature of a faculty member’s appointment to any SAAO position should be clarified.
- D. SAAO appointments, whether at the Tier I or Tier II level, must be at-will and may not (except Athletic Director) be fixed-term contracts. No changes to current practices are recommended herein. Compliance review is recommended.
- E. As REG 05.20.34 is currently worded, all special faculty appointments (except adjunct faculty) must be by fixed-term contracts and may not be at will. This may not be appropriate, particularly for unpaid visiting faculty, and for federal personnel with academic rank, neither of which are on the university’s payroll. Some recommendations are offered below.
- F. Adjunct faculty appointments are at-will, except that a Dean may authorize a fixed-term contract for up to three years. No changes to current practice are recommended herein, except that at-will adjunct faculty appointments could be to positions that are authorized as Limited Term, as articulated in Recommendation 2.5 below.
- G. EPA non-faculty professionals may have either fixed-term contracts or at-will appointments. Alternatives are offered for consideration in Recommendations 2.5 and 2.6 below.
- H. Post Docs must be on fixed term contracts and may not be at-will. An alternative is offered for consideration in Recommendation 2.5 below.

Most on the Task Force felt that contract use for EPA non-faculty professional positions was more prevalent than either required or prudent. There are general misconceptions on campus that such EPA professional positions “have to” be on contracts under current policy.

The perception that individuals paid at least 35% from sources other than state appropriations must be on a contract may have its origins in UNC policy 300.2.1, which says, “Appointment, reappointment, or promotion to a position funded in whole or in substantial part from sources other than continuing state budget funds...shall be contingent upon continuing availability of such funds.” In fact, the policy doesn’t read as requiring a contract in such situations, but only that continued employment is contingent upon continued funding – and that that contingency must be noted in writing to the individual.) Some recommendations are offered below.

#	CHARGE 2 – RECOMMENDATIONS	SUGGESTED RESPONSIBLE PARTY(IES) <i>(Implementation Horizon)</i>
2.1	<p>AUDIT FOR COMPLIANCE WITH AT-WILL STATUS FOR SAAO POSITIONS</p> <p>Current UNC-GA policy is explicit that EPA SAAO appointments must be at-will. Audit current practices to ensure that all current SAAO campus appointments are in compliance with GA policy and none inappropriately have contracts; correct any problems.</p>	<p>Human Resources + Appointing Units</p> <p><i>(Short term)</i></p>
2.2	<p>CLARIFY AT-WILL STATUS OF ADMINISTRATIVE APPOINTMENTS FOR INDIVIDUALS WITH FACULTY RANK</p> <p>Clarify in the PRRs that the administrative component of a faculty member's appointment to an SAAO administrative post must be at-will (not contracted for a fixed term), even though their base faculty appointment is not at-will. Example: dept heads, asst/assoc/deans, etc.</p>	<p>PRR Advisory Committee</p> <p><i>(Longer term)</i></p>
2.3	<p>DETERMINE THE APPROPRIATENESS OF CONTRACTS FOR VISITING FACULTY</p> <p>Clarify whether it is desirable and/or appropriate for visiting faculty, particularly those in an unpaid status, to be issued fixed-term contracts. Modify REG 05.20.34 as appropriate.</p>	<p>Academic Affairs</p> <p><i>(Longer term)</i></p>
2.4	<p>CLARIFY APPOINTMENT STATUS OF FEDERAL PERSONNEL WITH ACADEMIC RANK</p> <p>According to CALS Personnel, while federal personnel assigned to the University typically do receive letters that document the general expectations of the assignment, such letters are not currently treated as fixed-term contracts of employment, since such personnel are employed directly by a federal entity rather than the university. Clarify in PRRs that federal personnel do not receive fixed-term contracts and are not subject to the provisions for University-employed faculty.</p>	<p>CALS Personnel Office + Academic Affairs</p> <p><i>(Longer term)</i></p>

2.5	<p>CONSIDER AT-WILL APPOINTMENTS FOR POSITIONS THAT ARE AUTHORIZED TO EXIST ONLY FOR SPECIFIED PERIODS</p> <p>Some positions created by the institution are thought of as "ongoing" positions, established with no defined or anticipated ending date.</p> <p>Other positions are inherently more limited in nature. For such EPA professional and post doc positions, consider language like the following when posting vacancies:</p> <p>"This Limited Term Position is funded and authorized for a period not to exceed X years. By applying, candidates acknowledge that continued employment beyond the authorized period is not to be expected."</p> <p>Post docs may not exceed a five-year cumulative total for all post-doctoral appointments.</p> <p>When extending offers of appointment to such positions, consider language like the following:</p> <p>"This position is funded and authorized for a period not to exceed X years, and continued employment beyond the authorized period is not to be expected. Appointment to this Limited Term Position is at-will. Within the funded or authorized period, employment can be ended at any time by either party with appropriate notice, other than for a reason expressly prohibited by law or policy."</p>	<p>Human Resources + Legal Affairs + Academic Affairs + Executive Officers</p> <p><i>(Longer term)</i></p>
2.6	<p>CONSIDER FIXED-TERM FIRST YEAR, THEN AT-WILL</p> <p>As an alternative to Recommendation 2.5 above, for EPA professionals, consider allowing hiring units to issue fixed-term contracts for the initial year only (which might offer some level of job security to those who leave employment elsewhere and/or relocate to accept employment here); subsequent appointments would be at-will. See Recommendation 2.5 for guidance on at-will appointments in Limited Term Positions.</p>	<p>Human Resources + Legal Affairs + Academic Affairs + Executive Officers</p> <p><i>(Longer term)</i></p>

CHARGE 3

Make recommendations for the future regarding guidelines to determine appropriate compensation ranges for such contract positions.

CHARGE 3 – OBSERVATIONS

The Task Force recognizes that the University's complexity -- and its unique role in creating and disseminating knowledge in a rapidly changing universe -- requires a workforce that is often at the bleeding edge of expertise and "work." In accomplishing the institution's original research, instructional and public outreach missions, individuals may actually be defining the work as they do it. As such, individuals are frequently conducting activities that are difficult, if not impossible, to categorize according to traditional, well-defined job categories with exact (or even approximate) compensation matches in the general labor market.

That said, it is desirable to identify at least general characterizations of the work that individuals are performing across the organization, and to offer benchmark comparisons, as well as guidelines and parameters, to hiring units to inform their salary-setting decisions.

#	CHARGE 3 – RECOMMENDATIONS	SUGGESTED RESPONSIBLE PARTY(IES) (Implementation Horizon)
3.1	<p>PROVIDE COMPENSATION GUIDELINES FOR EPA PROFESSIONAL POSITIONS</p> <p>Direct Human Resources to use the results of the study that it is currently conducting with the assistance of Deloitte Consulting to frame a broad-based compensation structure for campus EPA <u>non-faculty</u> professional positions.</p> <p>Clarify whether -- as is currently true for faculty and SAO positions -- a salary action falling outside the range established for such a position would require BOG approval; implement appropriate campus review mechanisms.</p>	<p>Human Resources</p> <p>(Longer term)</p>
3.2	<p>ESTABLISH GENERAL SALARY PROTOCOLS FOR SPECIAL FACULTY</p> <p>The Provost and Deans should work with Human Resources to establish salary protocols for Instructors and Special Faculty (particularly the Research, Teaching, Clinical, and Lecturer categories), generally guided by and derived from the faculty ranges -- by discipline and rank -- that are published annually by HR for Regular Faculty.</p> <p>Establish mechanisms for review of any salary actions that would fall outside the articulated protocols.</p>	<p>Academic Affairs + Deans + Human Resources</p> <p>(Longer term)</p>

3.3	<p>ESTABLISH GENERAL SALARY PROTOCOLS FOR POST DOCS</p> <p>Review the current minimum hiring salary level for post docs, and update based on peer institution practices if necessary. Develop salary protocols for post docs, which may be generally guided by and derived from "assistant professor" ranges - - by discipline -- published annually by HR for Regular Faculty.</p> <p>Establish mechanisms for review of any salary recommendation that would fall outside the articulated protocols (such as review by the Dean of the Graduate School, who coordinates post-doctoral affairs).</p>	<p>Post Doc Office + Deans + Academic Affairs + Human Resources</p> <p><i>(Longer term)</i></p>
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CHARGE 4

Make recommendations for the future regarding the appropriate length of terms for the contract positions.

CHARGE 4 – OBSERVATIONS

The term lengths of probationary contracts for tenure-track faculty seem appropriate to the Task Force, and no changes are recommended herein.

In general, use of contracts for EPA professionals was discouraged. But if the institution determines that a contract is appropriate for an EPA professional in a specific instance, the maximum fixed-term contract length should be commensurate the individual's length of service and demonstrated success within the organization.

Fixed-term contracts for special faculty are appropriate. Members of the Task Force were divided over the recommended maximum length of contracts for Special Faculty. Some preferred a model where contract length increased commensurate with length of service. Others believed that maximum contract lengths should be left as flexible as possible to meet departmental demands.

#	CHARGE 4 – RECOMMENDATIONS	SUGGESTED RESPONSIBLE PARTY(IES) <i>(Implementation Horizon)</i>
4.1	<p>FOR EPA PROFESSIONAL POSITIONS, CONSIDER ASSOCIATING LENGTH OF CONTRACT ELIGIBILITY WITH TIME IN ORGANIZATION</p> <p>In general, EPA non-faculty professionals should be appointed at-will. However, if neither Recommendation 2.5 nor 2.6 is adopted, and the Dean or Vice Chancellor authorizes a contract for an EPA Professional position, consider establishing the following standard contract practices:</p> <ul style="list-style-type: none"> • Initial Appointments. The first contract of an individual is generally expected to be for a fixed term of <u>one year</u>. The Dean or Vice Chancellor may grant exceptions, but in no case may an initial fixed-term contract for an EPA professional exceed <u>three years</u>. • Subsequent Appointments. After the initial appointment, the first <u>subsequent</u> contract may be for a fixed term of up to <u>three years</u>, assuming annual reviews and documentation of satisfactory performance during the initial appointment. The Dean or Vice Chancellor may grant exceptions, but in no case may a subsequent fixed-term contract exceed <u>five years</u>. <p style="text-align: right;"><i>Cont'd</i></p>	Human Resources + Deans+ Executive Officers

	<ul style="list-style-type: none"> • Further subsequent contracts may be for a maximum fixed term of no more than <u>five years</u>, assuming annual reviews and documentation of satisfactory performance during the first two contract periods. • No fixed-term contract may be for longer than five years. 	(Longer term)
4.2	<p>DETERMINE APPROPRIATE FIXED-TERM LENGTHS FOR SPECIAL FACULTY</p> <ul style="list-style-type: none"> • Since the <u>initial</u> appointment of a <u>tenure-track</u> faculty member can be for no more than 4 years, the <u>initial</u> appointment of a <u>special</u> faculty member should also be no more than four years, and may be less. • Consider fixed-term contract maximum lengths that increase commensurate with the special faculty member's experience and demonstrated success at the university. • No fixed-term contract should be for longer than 5 years. 	<p>Academic Affairs + Deans</p> <p>(Longer term)</p>

CHARGE 5

Make recommendations for the future regarding the most efficient, yet appropriate, University process for review and approval of such contract positions.

CHARGE 5 – OBSERVATIONS

In the University's decentralized environment, both the hiring decisions and the data entry of such hiring actions into the HR System occur at the departmental, college, or divisional level rather than centrally in HR. Short of recentralizing all data entry in HR (which could serve as a strong control mechanism to ensure hiring units' compliance with all requirements, but which would also create bottlenecks), additional "eyes" to review and endorse proposed actions before they are finalized might be desirable.

#	CHARGE 5 – RECOMMENDATIONS	SUGGESTED RESPONSIBLE PARTY(IES) <i>(Implementation Horizon)</i>
5.1	<p>HR REVIEW OF ALL EPA PROFESSIONAL APPOINTMENTS</p> <p>Have the EPA Coordinator in HR review all EPA professional "off-cycle" (non-July 1) salary adjustments, as well as all salary adjustments associated with a <u>subsequent contract</u>, before the action is finalized, to ensure compliance with all relevant PRRs.</p> <p>Once finalized, copies of all backup appointment materials, justifications, approvals, and final copies of appointment letters must be submitted to HR for central personnel files.</p>	<p>HR EPA Coordinator + HR Information Management + Campus Hiring Units</p> <p><i>(Longer term)</i></p>
5.2	<p>NEXT-LEVEL REVIEW FOR ALL FACULTY & SAAO APPOINTMENTS</p> <p>For all faculty and SAAO appointments, all hiring recommendations and "off-cycle" (non-July 1) salary adjustment recommendations must be reviewed and approved by the administrator one level up from whomever that position reports to, and no lower than the department head.</p> <p>Once finalized, copies of all backup appointment materials, justifications, approvals, and final copies of appointment letters must be submitted to HR for central personnel files.</p>	<p>Campus Hiring Units + HR EPA Coordinator + OEO</p> <p><i>(Longer term)</i></p>

CHARGE 6

Submit other observations and recommendations that might emerge from the Task Force discussions.

CHARGE 6 – OBSERVATIONS

A review and updating of data elements and definitions used in the HR System would enhance consistency and clarity of organizational information.

New categories of certain special faculty and EPA professionals may be worth consideration and support by the institution.

#	CHARGE 6 – RECOMMENDATIONS	SUGGESTED RESPONSIBLE PARTY(IES) <i>(Implementation Horizon)</i>
6.1	CLARIFY & STREAMLINE “ACTION / REASON” CODES IN HR SYSTEM In the campus distributed data-entry environment, departments may use different reason codes in the HR System for the same actions (and vice versa). Streamline the reason types and provide better guidance (training, resource guides) to HR System users on when to use each reason type.	Human Resources Information Mgmt + HR Advisory Committee <i>(Longer term)</i>
6.2	ENHANCE USE OF “CONTRACT END DATE” FIELD IN HR SYSTEM Clarify appropriate and optimal use and procedures for the Contract End Date field. Train and provide reference resources to HR System users. Investigate the possibility of a HR System-generated notice of upcoming contract expirations to aid employing units.	Human Resources <i>(Longer term)</i>
6.3	DISTINGUISH SUPPLEMENTAL PAY TYPES Distinguish between a temporary supplement for additional duties and an interim supplement for an individual stepping into a different role on an acting or interim basis; update PRRs as necessary. Create an Interim Supplement pay type in the HR System. <ul style="list-style-type: none"> • <u>Temporary supplements</u> -- for short-term additional responsibilities. <i>Not to exceed 18 months</i>. No BOG approval required for a temporary adjustment, even if the resulting total salary (base pay + temp supplement) is 15% and \$10,000 above prior June 30 salary. • <u>Interim supplements</u> -- for filling an administrator vacancy in an acting or interim capacity while a search is planned and conducted. <i>Not to exceed 3 years, except with Dean or Vice</i> 	PRR Advisory Committee + Human Resources

	<p><i>Chancellor approval.</i> No BOG approval required for an interim supplement, even if the resulting total salary is 15% and \$10,000 above prior June 30 salary.</p>	<p>(Short term)</p>
6.4	<p>CREATE STIPEND CATEGORIES</p> <p>Articulate in PRRs as necessary, and create stipend categories in the HR System, for pay for administrative duties or honors that may attach to a faculty member's base faculty pay for an extended or undefined period. These stipends are "temporary" in the sense that they are not part of the faculty member's "permanent" base pay, but may continue indefinitely, as long as the administrative appointment or honor is in effect.</p> <ul style="list-style-type: none"> • <u>Administrative stipends</u> – for faculty members assuming a departmental, college-level, or university-level administrative role, such as a director of graduate studies, department head, or assistant vice provost. Stipend would reflect the difference between the individual's "faculty base" pay level and the total pay. No time limit; stipend would continue as long as the "at-will" administrative appointment continued. "Base" pay and administrative stipends amounts may be adjusted separately (e.g., base faculty salary may be adjusted by the average annual legislative increase amount, while the administrative stipend could be adjusted based on merit in the administrative role). The initial addition of such an administrative stipend atop a base salary does not require BOG approval under current BOG guidelines, even if at least 15% and \$10,000 above the prior June 30 salary. Subsequent "base" increases to "base" salary -- or "total" increases to total salary (base + stipend) -- would require BOG approval if 15% + \$10,000 or more. • <u>Honorific stipends</u> – for faculty members who receive pay adjustments as distinguished or named professors. No time limit; stipend would continue as long as the distinguished or named professorship appointment was in effect. Total adjustments of at least 15% and \$10,000 above the prior June 30 salary would require BOG approval. 	<p>PRR Advisory Committee + Human Resources</p> <p>(Longer term)</p>
6.5	<p>ENDORSE ADDITIONAL EPA CATEGORY</p> <p>Support and encourage the development of a potential new EPA category (currently under preliminary consideration by UNC-GA and OSP) for campus business officers and other "university-specific" positions that don't fit well under the three existing categories (instructional / research / senior academic & administrative officers) but that are generally not found in other State agencies.</p>	<p>Chancellor, Provost, Chief HR Officer</p> <p>(Longer term)</p>
6.6	<p>CONSIDER SPECIAL FACULTY "PROFESSOR OF THE PRACTICE"</p> <p>While not a contract issue per se, consider replacing the special faculty designation of "practicum faculty" with "(asst, assoc) professor of the practice" – a common term at other universities – which could be used more broadly than just in the College of Design as currently limited, and which might allow for the collapse some other current special faculty categories (e.g., clinical, extension, practicum).</p>	<p>Academic Affairs + Deans</p> <p>(Longer term)</p>

CLOSING COMMENTS

For the recommendations that you endorse, the Task Force suggests that you formally assign to a designated individual or entity (a “responsible party”) the responsibility of moving each recommendation forward.

As noted, some recommendations may be easily and quickly implemented; others will take more time and deliberation among more stakeholders. But all of them are far more likely to get moved from “recommendation” to “outcome” if the party charged with its implementation is given a specific deadline for completion and reporting back to you. The responsible parties should be expected to solicit and incorporate input from the relevant stakeholders in effecting each action item.

Again, the Task Force appreciates the opportunity to make these recommendations and to participate in the ongoing efforts of NC State University to “do the right things, and to do things right.”