

2009-2010 Post-Promotion Increase Implementation Campus Guidelines

March 26, 2009

Eligibility

The 2009-2010 Post-Promotion Increase program is open to individuals hired into Unit 3 on the campus after August 1, 1988, and before July 1, 2008, who entered the rank of Professor, Lecturer D, Head Coach, Librarian, or Student Services Professional, Academic-Related III prior to July 1, 2008, and who have exhausted their SSI eligibility in their current rank. Individuals who were promoted to full professor or an equivalent range or rank on or after July 1, 2008 are ineligible for consideration. Individuals in retired status as of July 1, 2009, including participants in the Faculty Early Retirement Program and rehired annuitants, are ineligible for the PPI program. A list of applicable classification codes is included in Appendix A.

Each campus has received a list of individuals who have tentatively been identified as eligible to apply for a PPI. Each campus should review its list to verify eligibility. In addition, campuses should add to the list any individuals who are eligible based on the above criteria but do not appear on the list provided, or individuals who were eligible for consideration in 2008-09 but elected to defer consideration to the 2009-10 cycle because of a leave of absence. Campuses should also add any individuals who should have been eligible in the 2008-09 cycle but were inadvertently omitted. However, individuals who were notified of eligibility in 2008-09 and did not submit an application are not eligible to be considered in the 2009-10 cycle.

Faculty members eligible for consideration for a PPI who are currently on leave do not have the option of deferring application to next year. If a faculty member on unpaid leave is awarded a PPI, the award will be applied at the time the faculty member returns to active status.

Program Details

Each department (or equivalent unit) should establish an elected review committee consisting of at least three tenured full professors (or tenured librarians or SSP/AR-III faculty). The department may choose to use its elected RTP committee or create a different committee. A department may elect individuals from outside the department to the review committee. An individual who has applied for an award may not participate in review of applications in his/her department, but may serve on another department's committee.

Elements of the program are governed by Articles 31.13 through 31.16 of the Collective Bargaining Agreement between the California State University and the California Faculty Association (Appendix B). The parties have agreed on the following interpretations of these provisions:

- A. To be considered, a faculty member must submit an application consisting of a summary (maximum two pages) of accomplishments. In addition, the applicant should include the Cover Sheet (Appendix C).
- B. Applicants may discuss work from any time since the last promotion, but are not required to do so. Information from the last three to five years would normally be sufficient. While no additional documentation is allowed, all information presented in the summary may be subject to verification.
- C. The evaluation is to be based on the actual work assignment of the faculty member; the faculty member should specify the areas to be evaluated, which must at least include the areas encompassed by the actual work assignment.

- D. Campuses are encouraged to use existing standards for performance as defined in policies on retention, tenure and promotion, post-tenure review, periodic evaluations, *etc.*, rather than creating new policies for PPI review.
- E. The department-level committee will review each application and make one of three findings: meets expectations, exceeds expectations, or does not meet expectations. If the applicant is evaluated as not meeting expectations, no award will be made. If the applicant is evaluated as meeting expectations, the award is an increase to base salary of 2.5%. If the applicant is evaluated as exceeding expectations, the application will be forwarded to the President, who will determine the final award of at least 2.75% but no more than 3.5% of base salary.
- F. The faculty member may appeal either the substantive rating or the amount awarded by the President.
- G. The campus shall elect a five-member Appeal Committee (using the campus Senate process for campus-wide elections), consisting of full professors (or equivalent tenured librarian or SSP/AR ranks) who are not being considered for PPIs in 2009-10. (Note that if sufficient faculty members are not available who meet the above eligibility criteria, campuses may develop their own procedures to determine who may run for the campus Appeal Committee. Such procedures should have mutual agreement among the campus administration, campus Academic Senate chair, and CFA chapter president.)
- H. Once faculty members have received a final decision, they will have two weeks (ten working days) to file an appeal; for faculty members with academic year appointments, the appeal deadline must fall within the academic year. Materials submitted for appeals shall be limited to the original application plus an argument/rebuttal of no more than one page. The Appeal Committee will review the materials submitted and determine whether to grant the appeal, including the final amount of the award (which may not exceed 3.5% of base salary.) The Appeal Committee will not hear testimony from the appellant or any other parties.
- I. Campuses should establish deadlines that allow departments to complete their review processes prior to the final day of the spring 2009 term. The President's review for determination of the final award amount should be completed no later than June 30, 2009 to allow processing of the base salary adjustment in the July 2009 pay period. Campuses may establish earlier deadlines.
- J. Campuses have discretion in establishing deadlines for the appeal process, but should set deadlines so that any salary adjustments as a result of the appeal process may be implemented no later than the November 2009 pay period, so that affected individuals will see the adjustments reflected in the pay warrant issued December 1, 2009.

Campus Costs

Each campus will receive an adjusted estimate of the total program cost for the campus for salaries and benefits. Ten percent of the estimated cost for salaries must be set aside as the Appeal Pool. The Appeal Committee may not make awards that exceed the total amount of funds in the Appeal Pool.

Reporting

The campus shall provide a list of all individuals who received an award, along with the percentages awarded and the total dollar amount of the awards, to the Chancellor's Office by December 15, 2009.

Appendix A.

Individuals in the following classifications may be eligible for the Post-Promotion Increase program, provided they meet all criteria.

Title	Range	Codes
Head coach	0	2373, 2374, 2375
SSP/AR III	0	3074, 3075
Librarian	5	2913, 2914, 2919, 2920, 2926, 2927
Instructional faculty (including dept. chair)	5	2360, 2361, 2395, 2399, 2481, 2482
Lecturer	5	2358, 2359
CMA lecturer	5	0357, 0557
Maritime Vocational Instructor IV	0	0391, 0358, 0359, 0558
CMA Instructional Faculty (incl. chair)	5	0351, 0551, 0356, 0556
Maritime Vocational Lecturer IV	0	0360, 0361, 0560
Vocational Instructor	5	2462, 2463, 2464, 2466
Statewide Nursing Program	5	7894, 2310, 2308
Overseas Contract faculty	5	2364, 2369

In addition, campuses should review individuals in the following classifications:

Grant-Related/Specially Funded Instructional Faculty class codes 2387, 2388
(Only applies to faculty who are in range 5 in the appointment from which the GRIF salary was derived.)

Resident Director, International Programs, range 5 class codes 2320, 2321

While these classifications do not have an SSI maximum rate designated, faculty members appointed in these groups receive a salary derived from their base instructional faculty salary. If individuals in these classifications have exhausted SSI eligibility in their instructional faculty classification, they are eligible for consideration for a PPI.

Appendix B.

Article 31 Post Promotion Increases (PPI)

31.13

There shall be a pool of seven million dollars (\$7,000,000) in fiscal year 2008/09 and a pool of seven million dollars (\$7,000,000) in fiscal year 2009/10 for the award of Post Promotion Increases. This pool shall include both the associated payroll contributions paid by the CSU and an appeals pool of seven hundred thousand dollars (\$700,000). These pools for the award of Post Promotion Increases in each of the fiscal years of the Agreement shall not be subject to budget contingency requirements.

31.14

There shall be no requirement to expend all funds identified in provision 31.13 above for such increases. Any portion of the funds not expended in any fiscal year shall automatically be added to the Post Promotion Increase pool in the next fiscal year.

Upon conclusion of the PPI program, any remaining unspent funds shall be added to the GSI amount awarded on June 30, 2010, unless otherwise mutually agreed.

31.15

The Post Promotion Increase Program:

- a. Eligibility: The Post Promotion Increase (PPI) Program is a program for those senior faculty members (Full professors and Lecturer D faculty and equivalent librarian, counselor and coaching faculty ranks) who have exhausted all their SSI eligibility. Having established the pool of eligible recipients, one half of the pool will be nominated for PPI increases in fiscal year 2008/2009, and the second half of the pool in fiscal year 2009/2010. Selection of the two groups will be conducted by reference to their dates of hire. The half of the pool with the earliest dates of hire will be considered for PPI increases in fiscal year 2008/2009, with the remainder being considered in fiscal year 2009/2010.
- b. Standards: Although academic work is normally divided among teaching, scholarship-professional development and service, the PPI process will evaluate all faculty members on their actual work assignments.
- c. Process: The eligible unit employee shall provide a maximum of two pages summarizing accomplishments since last promotion in categories in which they choose to be evaluated. A recommendation for a PPI award may then be made by a faculty RTP committee at the initiating unit. If the committee establishes that the faculty member “meets expectations” in those areas for which s/he is evaluated, s/he shall receive a two and one-half percent (2.5%) salary increase. In cases when the committee establishes that the faculty member “exceeds expectations” in one or more areas, the President or designee shall establish the amount of award which shall be no less than two

and seventy-five one hundredths percent (2.75%) salary increase and no more than three and one-half percent (3.5%) salary increase.

It is the intent of the Parties that PPI evaluations be conducted according to the evaluation process set forth in Article 15 using established criteria for teaching, scholarship, and service. Further, whenever possible, said evaluations should take place as part of the regularly scheduled evaluative process and not conducted separately.

- d. Appeal: Each campus shall have an appeal committee composed of five (5) Full Professors who are not being considered for a PPI in that given year. The appeal committee shall be elected per the campus Senate process. Faculty members can appeal the department/initiating unit committee's substantive recommendations and/or the award amount determined by the President. The award of the appeal committee to an individual cannot exceed the amount designated in the PPI program for the related Evaluation rating, and the total amount of all awards cannot exceed the amount of funds provided in the appeals pools. The decision of the faculty appeal committee shall be final and binding.
- e. Contractual Appeal Process:
 1. The CFA (Appellant) may file a notice of appeal on behalf of an employee, or group of employees, alleging that there has been a claimed violation, misapplication, or misrepresentation in the application of this Article in relation to the procedure by which a decision was made to grant or deny a Post Promotion Increase in any individual case or cases. The contractual appeal process may not be used to appeal any matter subject to appeal to the Faculty Appeal Committee in 31.15d above; or any decision of that Committee. The CFA shall not appeal on behalf of unit members who do not wish to pursue an appeal.
 2. The appeal must be filed no later than twenty-one (21) days after the event giving rise to the appeal, or no later than twenty-one (21) days after the Appellant knew or reasonably should have known of the event giving rise to the grievance. The Appellant shall state clearly and concisely in the notice of appeal, the name(s) of the employee(s) on behalf of whom the appeal has been filed and the term(s) of this Article alleged to have been violated, misinterpreted, or misapplied in relation to the procedure by which a decision was made to grant or deny a Post Promotion Increase.
 3. Within thirty (30) days the parties shall meet at a mutually acceptable time and place in order to try and resolve the Appeal informally.
 4. In the event that the appeal is not resolved to the Appellant's satisfaction through informal efforts, the Appellant may request that the matter be subjected to a third party neutral for review. Such a request must be made in writing within 45 days of the filing of the notice of appeal.

5. A third party neutral will be jointly selected by the CSU and CFA to hear all cases thus appealed.
6. The third party neutral shall schedule a review of such cases within thirty (30) days from the date of the request for review at a time and place acceptable to the parties. Since time is frequently of the essence in rendering a remedy that is meaningful for both faculty members and the administration, review procedures shall be as determined by the third party neutral, but shall provide for no more than one (1) day of review except by written agreement of the parties. Except upon the written agreement of the parties in a particular case, no briefs shall be filed. The third party neutral's decision sustaining or denying the Appeal shall be issued after a brief study period at the conclusion of the review, but in any event no later than three (3) days from the close of the review, and need not include supporting rationale unless requested by a Party.
7. The third party neutral shall not sustain an Appeal unless there is:
 - i. a preponderance of evidence to do so;
 - ii. clear and convincing evidence of a procedural error.
The normal remedy for such a procedural error will be to remand the case to the review level where the error occurred for reevaluation.
8. If the third party neutral is able to state with certainty that had it not been for the procedural error the faculty member would have received a Post Promotion Increase, then the third party neutral may make a Post Promotion Increase award, subject to the limitation that the award for any individual does not exceed the amount designated in the PPI program for the related Evaluation rating, and the total amount of all awards cannot exceed the amount of funds provided in the appeals pools.

The third party neutral's decision in any given case shall not set a precedent, and it shall not be cited in any other administrative or legal forum. The decision of the third party neutral shall be final and binding.

9. All costs of the appeal process shall be borne equally by both parties.

31.16

This program is not applicable to faculty unit employees holding classifications which are paid at flat rates. Among others, the following classifications are not eligible for Post Promotion Increases because they are classifications with flat rates:

- 2323 Instructional Faculty Extension
- 2322 Instructional Faculty Special Programs
- 2402 Instructional Faculty Summer Arts
- 2357 Instructional Faculty Summer Session
- 2356 Substitute Instructional Faculty