

Nuts and Bolts of Department Personnel Actions

Cass Moseley, Associate Vice President for Research

Susan Anderson, Senior Vice Provost for Academic Affairs

Sonia Potter, Director of HR Operations

Bill Brady, Director of Employee and Labor Relations

Ken Doxsee, Vice Provost for Academic Affairs

Agenda

- Critical Appointment Deadlines
- Faculty Notices of Appointment
- Faculty Multiple & Joint Appointments
- FLSA Exempt vs. Non-Exempt
- OA Notices of Appointments
- Separations

Critical Appointment Deadlines

- Career NTTF
 - Renewal and nonrenewal proposals to OPAA: March 10th (set annually by Provost)
 - Notified of renewal or nonrenewal: May 1st
 - Daily financial penalties if late.
 - Funding contingent are as soon as practicable.
- Delivery of Notice of Reappointment (All Faculty):
 - 12 month Faculty: June 1st
 - 9 month Faculty: August 16th
 - Pro Tem: 30 days prior to each term.
 - Funding Contingent are 30 days prior when feasible.
- New TTF Notice of Appointments: May 1st.
- Must be paid within 35 days of start date.

Faculty Notices of Appointment: Dept Role

- Career:
 - Determine whether to renew or nonrenew and send to OPAA for review and approval.
 - Renew
 - Generate appropriate length of renewal RTO (Request to Offer) for those renewing
 - Years 1-4 at lowest rank: 1 year notice of appointment
 - Years 5+ at lowest rank: 2 year notice of appointment
 - Any # of years at career and above lowest rank: 3 year notice of appointment
 - Nonrenew
 - Generate and deliver nonrenewal notification copying OPAA and HR
- Pro Tempore
 - Not to exceed 3 years without prior authorization.
- TTF
 - Generate renewal RTO after midterm review.

Faculty Multiple & Joint Appointments

- Joint Appointment:
 - One appointment that spans one or more units.
 - MOU completed at time of hire.
- Multiple Appointments
 - Separate appointments in two or more units.
 - MOU completed at time of additional appointment.
- MOUs
 - Expectations for promotion review.
 - Description of promotion process.
 - Must be signed by faculty member and Provost designee.

FLSA Exempt vs. Non-Exempt

- Exempt vs. Nonexempt
 - Duties test
 - Salary test (\$455 per week or \$23,660)
- Exempt
 - Salaried and not eligible for overtime
- Nonexempt
 - Paid based on hours worked during unit established pay period.
 - Eligible for overtime.
- Joint or multiple appointments
 - Determination of exempt/non-exempt status based on the majority of duties
 - Highly, highly, highly discouraged from hiring non-exempt staff as a pro tem

OA Notice of Appointments

- New OA Policies and Procedures
 - Grievance
 - Time Off
 - Performance Management
 - Separations
- No need to do renewals anymore.
- New OAs will receive an offer letter via MyTrack.
- OA guidance and trainings can be found on the HR website under the Employee and Labor Relations area.
 - <http://hr.uoregon.edu/employee-labor-relations/employment-policies/oa-employment-policies>

Separations

- Involuntary Separations
 - Consult with Dean/Director, OPAA or VPRI (faculty) and Employee and Labor Relations (all employees) on required processes based on individual employee circumstances.
- All Separations (Voluntary and Involuntary)
 - Process documents to update the payroll systems as soon as it is finalized and the employee is aware or has been informed.

Faculty Performance Management

Cass Moseley

Susan Anderson

Ken Doxsee

Agenda

1. Basic Requirements: CBA and other considerations
 - Career NTTF
 - Pro Tem NTTF
 - TTF
2. Toward creating a culture of ongoing communication and feedback: Performance Management v. Performance Reviews
3. Difficult Conversations

Basic Requirements

CBA and Practical considerations

CBA Requirements – Reviews for NTTF Contract Renewal

Purpose is to determine if:

“NTTF member is meeting the standard of excellence appropriate to a major research university. Reviews should be designed to help the NTTF bargaining unit members grow as scholars, researchers and educators, identify areas of strength and identify areas that need improvement.”

CBA Requirements – Reviews for Career NTTF Contract Renewal

- Career NTTF must be reviewed in each contract period prior to consideration for renewal or once every 3 academic or fiscal years of employment, whichever is sooner.
- Scholarship, research and creative activity, where applicable, will include assessment of work quality, impact on field nationally/internationally, and overall contribution to discipline or program
- Where applicable:
 - Course evals for all courses ≥ 5 students. A review of all evaluations is to be included in evaluation of teaching
 - One peer review of teaching per contract period. Peer review based on standards identified by unit and includes established time frame for notification of prior to review
 - Review of required professional development activities will consider availability of professional development funds, opportunities for professional development and faculty member's efforts to secure funding
 - While not explicitly mentioned in CBA under contract renewal, service can also be considered

CBA Requirements – Reviews for Career NTTF Contract Renewal

- Contract review process will include an opportunity for Career NTTF to discuss efforts and performance with an appropriate supervisor at least once per contract period
- As part of each contract review, Career NTTF will have opportunity to submit a personal statement containing information relevant to performance of assigned duties and responsibilities
- Career NTTF will be evaluated only by the criteria approved and made available to the faculty member.
- If criteria changed during employment, faculty member may elect to be reviewed by current criteria or those in effect during six years prior to initiation of review process

CBA Requirements – Reviews for Pro Tem NTTF Contract Renewal

- CBA is relatively silent on process and criteria for Pro Tem contract renewals. “Each (unit) policy will include a process for reviewing the performance of any adjuncts employed by the department or unit.”
- General agreement with United Academics that an abbreviated process is acceptable. At the same time, some documented basis for renewal decisions is needed (sample templates on Academic Affairs website)
- Only one review per year is required, even if more than one contract per year

CBA Requirements – Reviews for TTF Contract Renewal

- “The Midterm Review”
- CBA provides detailed procedural guidance
- Timing established at time of appointment
- Formative and summative assessment as to whether the faculty member is on a pathway to an unequivocally positive tenure decision
- Three outcomes possible
 - Renewal extending to tenure decision
 - Non-renewable one-year contract
 - Renewable one-year contract with stipulations

CBA Requirements – Reviews for NTTF Promotion

- More extensive review designed to determine if NTTF member has met the standards for promotion established by the unit.
- Involves several layers of review: promotion review committee, department head, dean, provost
- Review covers teaching, service, scholarship, professional activities...all are “if applicable”, as determined by NTTF job description and workload components.
- If promotion review is in same year as contract renewal review, can do one review. However, decision on whether to promote and decision on whether to renew are *separate* decisions.

CBA Requirements – Reviews for TTF Promotion

- Covered in detail in the CBA and regularly-scheduled Academic Affairs workshops
- Any questions?

Practical Considerations in Reviews

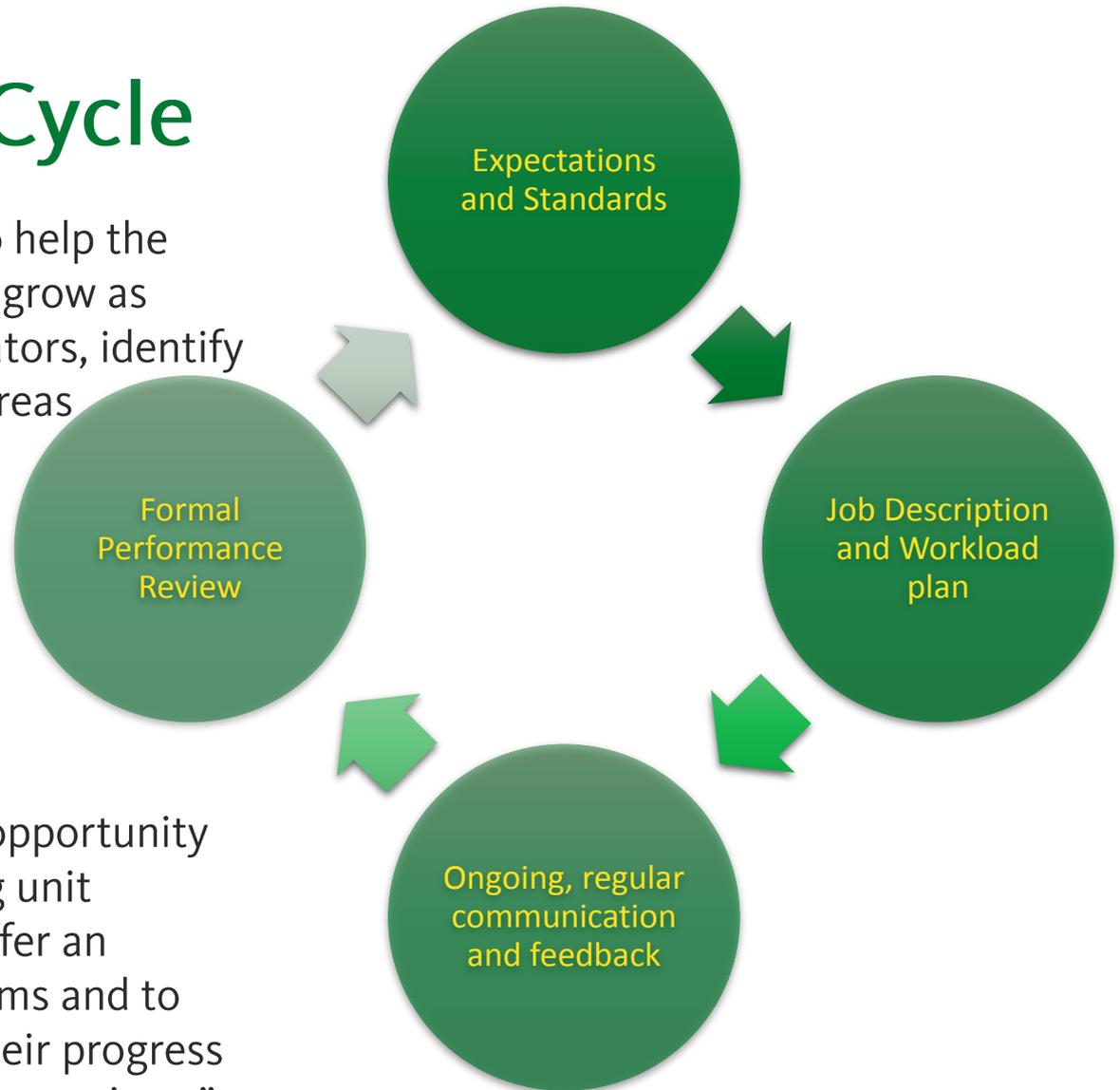
- Avoid references to “young” or “old.”
 - OK to say, “new to field;” “long-standing faculty member.”
- OFLA/FMLA: Do not connect to performance
- Grievance: Do not connect to performance
- Keep review within appropriate timeframe (since last review)
- Stay away from topics related to family or personal life
- Know and follow your department policy

Creating a Culture of Ongoing Feedback

Performance Management v. Performance Review

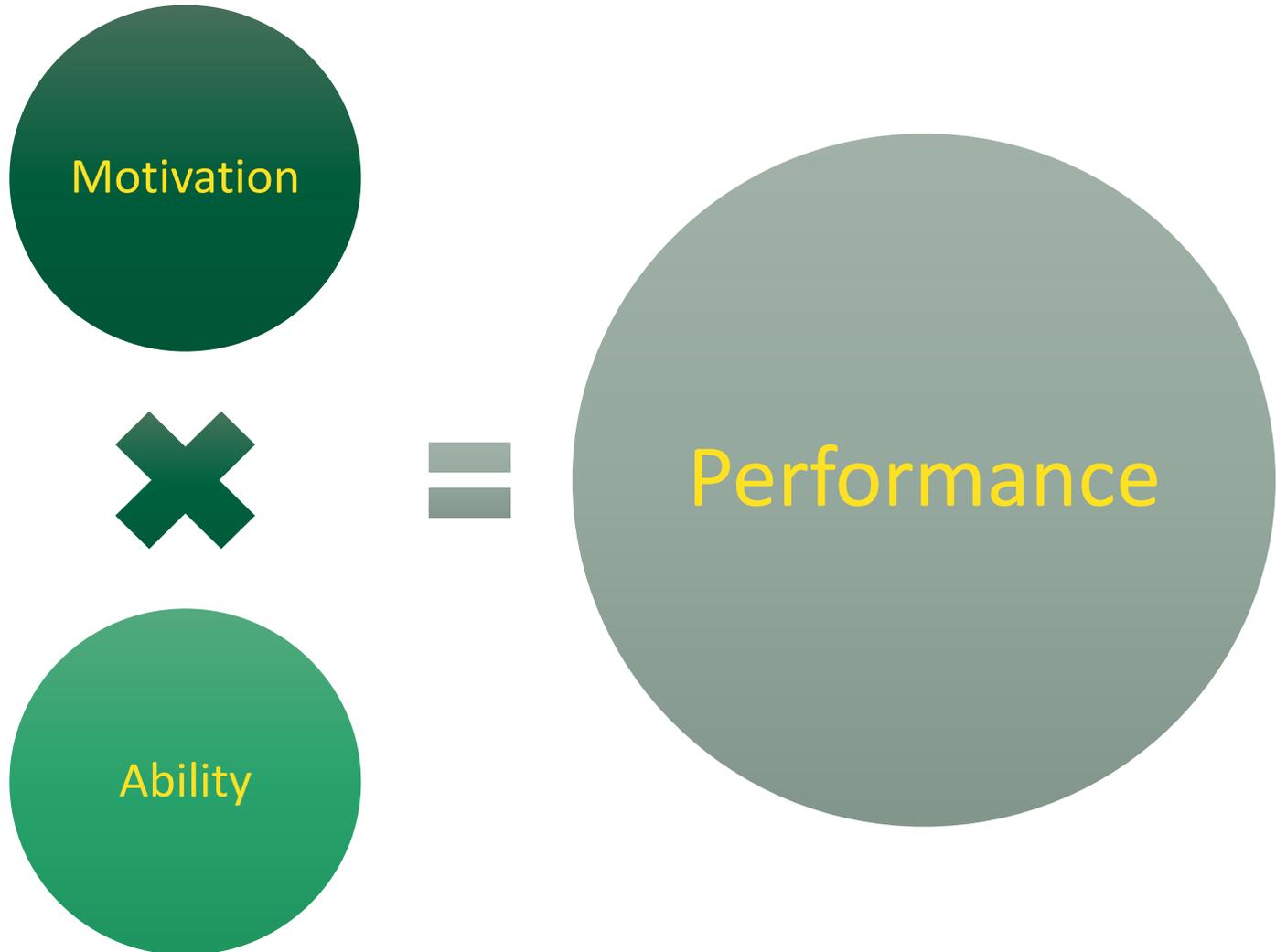
Performance Management Cycle

“Reviews should be designed to help the NTTF bargaining unit members grow as scholars, researchers and educators, identify areas of strength and identify areas that need improvement.”



“... annual reviews provide an opportunity to evaluate the TTF bargaining unit member’s performance and offer an opportunity to address problems and to support faculty members in their progress toward the mid-term and tenure reviews.”

Performance Management – Drivers of Performance

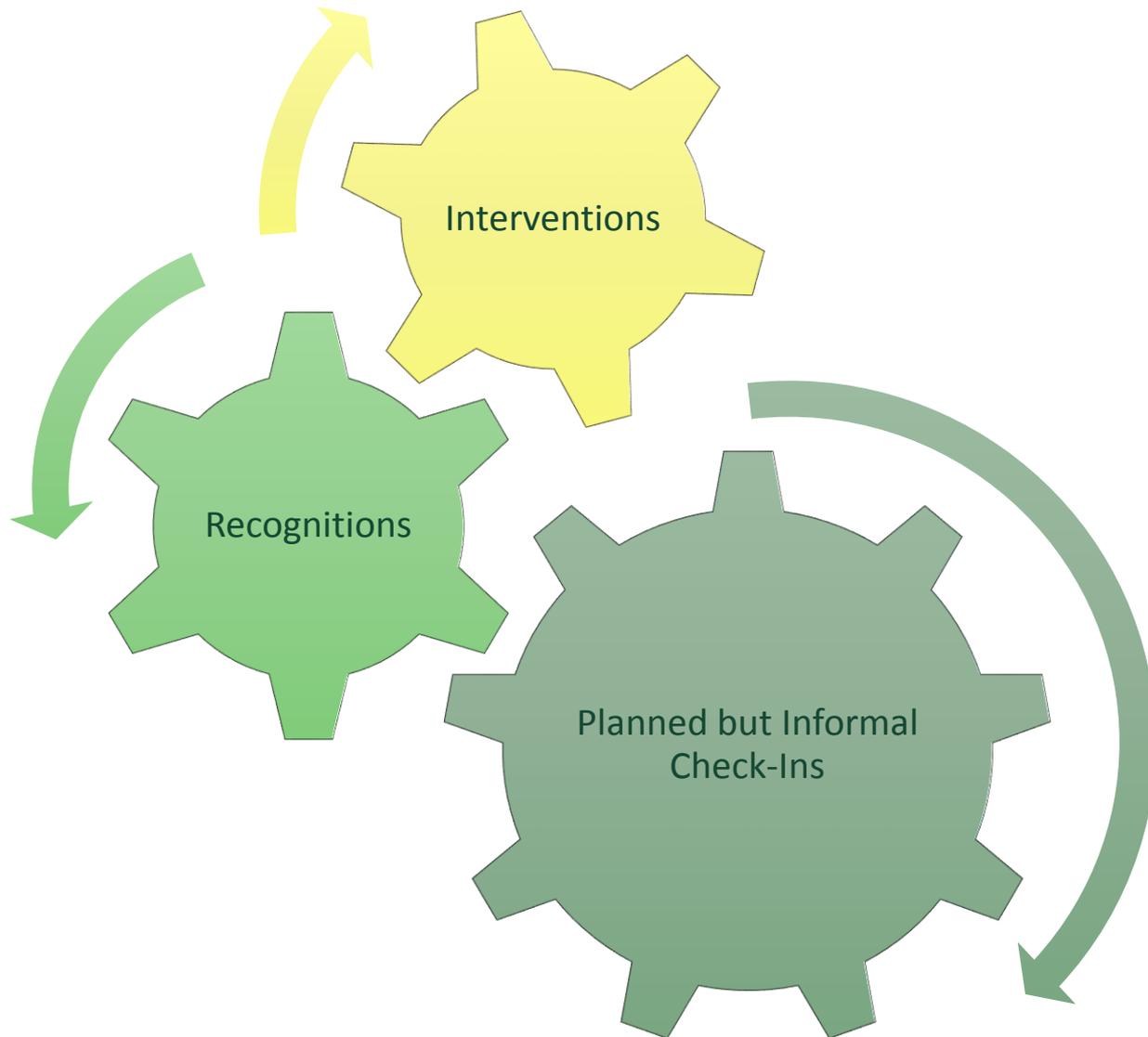


Performance Management – an ongoing conversation

Expectations and Standards



Performance Management – an ongoing conversation



Forthright Peer Evaluations

- Depend on a culture of constructive feedback
- Forms that elicit useful feedback help guide the reviewer
- Constructive (not punitive) responses to problems in reviews (except in cases of problems that need immediate attention)

Difficult Conversations

Communicating about Performance

Difficult Conversations

What makes conversations difficult in a performance review?

- Giving critical feedback
- Concerns about their response

Avoidance → Feedback & Accountability

Why do we tend to avoid difficult conversations?

- Increase rather than solve problems
 - *In the long run will save time, energy, relationships, resources*
- Doesn't fall under established criteria
 - *Most of the time can relate concerns to established criteria.*
- Don't have the skills to do it well
 - *Consult! Practice! Make notes! This is an important skill.*
- No one ever identified this as a problem before, so maybe I'm being too [careful/sensitive/serious]
 - *Ask yourself, "What type of culture do I/we want?"*

With performance and/or behavioral concerns, the following is almost always true:

The longer you wait to address it, the bigger and more complex the dynamics.

AND... in the context of the CBA:

- If there is a need to take contract or disciplinary action, there are standards that need to be met, including notification and documentation of concerns

What do you say to get the review started?

- Set the tone
 - Dialogue
 - Review the year with an eye towards what went well and areas for improvement
 - Identify professional goals for the year
- Review the process
 - Important for the review conversation AND because many grievances are focused on procedural errors

What type of concern is being identified?

CPR:

Content: A single incident

Pattern: A pattern over time

Relationship: Negative impact on relationship
(trust; respect; competence)

Be clear before starting the written or verbal review

Let's meet Reggie

Reggie is an NTTF in the 3rd year of his contract. You have the following information as you prepare for his performance review:

- Reggie's last review was completed by the former department head and was very positive. There were no concerns highlighted in the review. There is no review on file from his first year.
- For the most part, Reggie's teaching evaluations have been positive and students are pleased with his style and quality of teaching. The only negative feedback has been from students who try to get in touch with Reggie via phone or email and get no response. This has impacted some students' ability to schedule time to meet, even during office hours. One student indicated that his "inability to get in touch with my instructor led to a poor grade on a final project because my questions were never answered."
- Over the past 4 terms, there have been 3 independent calls to the department head from students complaining that they get no response to their instructor (Reggie) when they try and contact him.
- Reggie has never missed a faculty meeting and has led a subcommittee that completed its work in the established timeframe.
- You have received feedback from N/TF, and have experienced yourself, that Reggie has an aggressive verbal and non-verbal communication style that tends to shut down conversations (eye-rolling, cutting people off if he disagrees, insisting his perspective is correct, saying things like, "You are dead wrong!"). This pattern has led his colleagues to be very hesitant to work with him.

Reggie (3 minutes at tables)

How would you frame the issues of concern?

Content?

Pattern?

Relationship?

4 minutes at your tables...

- At your tables, think of all the different reasons why Reggie is not getting back to his students in a timely manner.

Let's meet Susie

Susie is a research NTTF who has been employed for three years in the same unit with the same supervisor. You have the following information as you prepare for her performance review:

- You didn't do a review in her first year as it was not routine to do so in your unit. In her second year, you provided a brief and positive review. In truth, your assessment is that the individual meets expectations but does not exceed them and is not a strong member of your team with limited potential for growth.
- The only negative feedback that you did provide was tardiness in responding to requests for information.
- You have evidence that she is not responding to others in a timely fashion as well, with colleagues commenting on this to you directly.
- Recently, you have received feedback from colleagues, and have experienced yourself, that Susie has shown an aggressive verbal and non-verbal communication style that tends to shut down conversations (eye-rolling, cutting people off if they disagree, insisting her perspective is correct, saying things like, "You are dead wrong!"). This pattern has led her colleagues to be very hesitant to work with her.

Scenario (3 minutes at tables)

How would you frame the issues of concern?

Content?

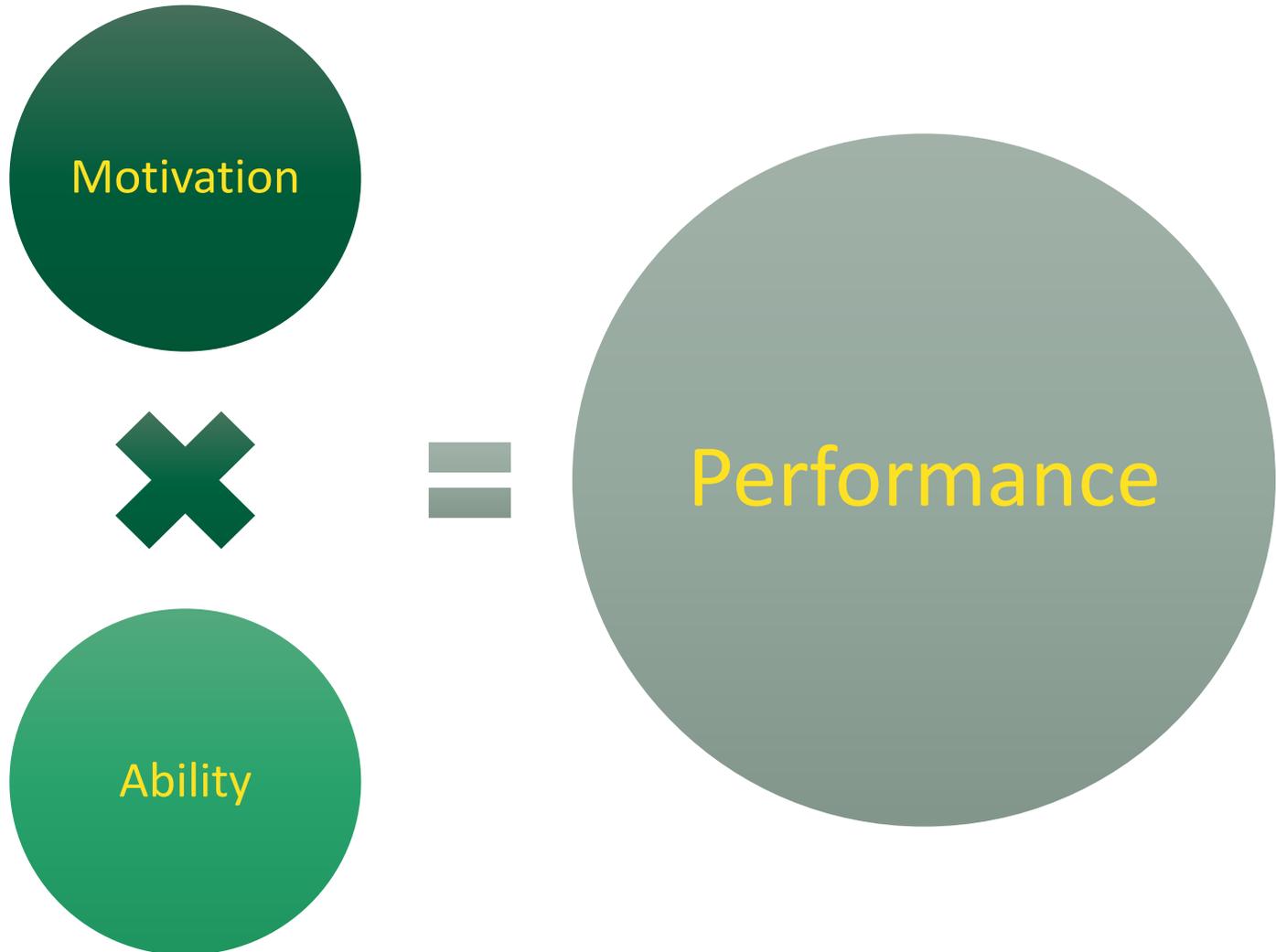
Pattern?

Relationship?

4 minutes at your tables...

- At your tables, think of all the different reasons why Susie is not responding to requests in a timely fashion.

Diagnosing the source of the problem



Key Points

- Be careful about the language you use
- Keep the focus on performance only
- Address concerns early
- Know your process
- When bringing up performance concerns, be clear about whether it's a C, P or R issue.
- Diagnose performance concerns by distinguishing motivation challenges from ability challenges.

Thank you

These slides, and sample forms and guides can be found at:

<https://academicaffairs.uoregon.edu/workshops>

Please send any examples you have that might be helpful to others to: Ron Bramhall at rcb@uoregon.edu