Re: CBA Implementation:  
Instructions and timeline for one-time reclassification of adjunct non-tenure-track faculty (NTTF)

From: Barbara Altmann, Vice Provost for Academic Affairs

This communication concerns the Memorandum of Understanding (MOU) on “One-time Reclassification of Adjunct Faculty,” which is appended to the Collective Bargaining agreement between the University of Oregon and United Academics (ratified 8 October, 2013).

Please find attached the data prepared for you by Unclassified Personnel Services listing all adjunct NTTF who have held an appointment in your unit since academic year 2007-08. Your decision regarding whether to reclassify each of those positions to “career” NTTF positions should be complete by the end of January.

For each position eligible for reclassification, please determine the following and document it on the spreadsheet provided:

- Is the position ongoing without substantial change to work or FTE? If the answer is yes, you will need to determine the following:
  1. If the incumbent has performed to the standards of the unit as published or practiced, she or he will be directly appointed to the new career position at the lowest rank.
  2. If the incumbent has not performed to the standards of the unit as published or practiced, she or he will be directly appointed to the new career position at the lowest rank for the remainder of the contract year and reviewed prior to contract renewal.

- If you do not reclassify the position as a career position, which of the following reasons apply?
  1. No on-going need: Either you have no on-going need for the position and will terminate it by the end of the current academic year or the person is no longer employed in that position.
  2. Restructuring position: You are choosing to restructure the position into a new career position, which involves a substantial change in work or FTE. (New career positions may be created by combining the responsibilities formerly assigned to more than one adjunct position.)
  3. Pedagogical or programmatic reasons: You are choosing to retain the position as adjunct for legitimate pedagogical or programmatic reasons. PLEASE NOTE: Justification for retaining the position as adjunct must be provided.

- If you restructure the position and create a new career position, which of the following options will you choose?
1. Direct appointment: Fill the new career position by directly appointing the incumbent. Such a decision requires that the incumbent meet all the required qualifications for the new position and has performed to the standards of the unit as published or practiced.
2. Internal search: Fill the new career position with an internal search.
3. External search: Fill the new career position with an external search.

In making these decisions, please consult with whatever advisory or executive committee you have available in your unit, if applicable. Department heads must consult with their deans or associate deans. Each person currently in one of the adjunct positions eligible for reclassification must be told what the decision on his/her position is and why.

By mid-December, Academic Affairs will provide templates for letters to send to current incumbents in each of the possible scenarios above. You may add to the template as you choose to customize the letter to your own needs, but please retain the language of the template to make sure we are using the appropriate and correct terminology. A letter should be sent (by e-mail or on paper) to each of the adjuncts currently in a position eligible for reclassification.

Once you (and your dean or associate dean, as applicable) have completed the process, please return your completed spreadsheet with your final decisions to UPS for review and approval by Academic Affairs. Please attach a rationale where applicable.

Please note:
- The full text of the MOU is appended to the Collective Bargaining Agreement, which is available on the Academic Affairs web site: http://academicaffairs.uoregon.edu/
- Reclassification is retroactive to the beginning of the relevant contract period for the positions subject to the reclassification, including for adjuncts whom you will review before deciding whether to retain them in the position.
- Re grievances: The MOU states, “If the faculty member disagrees with the decision of the unit head ... regarding whether the faculty member's position was ongoing, she or he may challenge the head's decision through the grievance process (Article 22).”
- Please arrange to issue revised RTOs in February.
- Notice of renewal or non-renewal of contract must be made by May 1st, 2014 for bargaining unit members, other than those on funding-contingent appointments, or those in the classifications of Adjunct or Acting Assistant Professors.

For more information, you might want to consult the PowerPoint or presentation I gave on this topic in November. Here is the link: http://academicaffairs.uoregon.edu/workshops

Please feel free to contact me for help. You can find me at baltmann@uoregon.edu, or at 541 346-2172.