### **Plan Eligibility and Funding Guidelines**

### **Eligibility**

- 1. All General Campus Academic Divisions (Arts and Humanities, Social Sciences, Physical Sciences, Biological Sciences, Jacobs School of Engineering, Rady School of Management, and IR/PS) and the Scripps Institution of Oceanography may participate in the Plan.
- 2. The Plan is available to general campus and Scripps Institution of Oceanography ladder rank and inresidence faculty members who meet the eligibility criteria as outlined in number six (6) below.
- 3. Full-time deans and faculty administrators as listed in <u>APM 240</u> and <u>APM 246</u>, respectively, are not eligible to participate in the Plan.
- 4. Senior Management Group (SMG) members are not eligible to participate in the Plan.
- 5. Faculty members appointed in a Health Sciences department and/or eligible to participate in the Health Sciences Compensation Plan are not eligible to participate in the Plan.
- 6. Faculty participating in the Plan are required to meet minimum good standing criteria as follows:
  - Advancement in rank or step in last academic review (or equivalent satisfactory review), including fulfillment of the faculty member's approved teaching load, and University service commensurate with rank and step
  - Maintenance of the participant's position as a leader in a chosen field of research
  - All research contracts and grants are in good standing, (e.g. no outstanding agency reports or accounts in deficit)
  - Fulfillment of graduate student support and training obligations
  - Compliance with reporting and training requirements.

Departments are permitted to develop additional good standing criteria. Good standing criteria must be approved by a two-thirds majority of the department's Senate faculty. Once approved, a department's good standing criteria must be provided to all department faculty, the appropriate Dean, the EVC, and CAP.

## **External Funding**

- External funding is defined as any fund source that is non-State-appropriated general funds or student tuition funds, such as (but not limited to) endowment or gift income, professional degree fees, self-supporting degree fees, royalties, licensing fees, and contract and grant support. Fund sources may come from any combination of permissible external funding.
- Funding for the negotiated salary increment must be awarded and in hand prior to June 30 of the current fiscal year to be considered for that year's negotiation.
- Adequate funding must be available for the entire year of the proposal, without exception.

- Funds awarded after the salary increment has been negotiated may be considered eligible compensation for the following academic year.
- Funding for the negotiated salary increment must have a stable source, paid in accordance with any related fund source restrictions, and must be sufficient to include the related benefits costs.
- The Plan must be in compliance with federal regulations and thus the Plan has been designed with such regulations in mind; All charges to contracts and grants must be compliant with Office of Management and Budget (OMB) Circular A-21; Effort for salaries charged to sponsored projects funded by federal sources must be accurately and appropriately calculated and certified.
- At no time may effort be greater than 100%.

### **Total UC Salary**

 The total UC salary is comprised of the salary covered under the University of California Retirement Plan (UCRP), which is the scale rate plus off-scale components, referred to collectively as "covered compensation" and a negotiated salary increment.

#### **Covered Compensation**

Covered Compensation is the regular scale salary rate plus any off-scale as approved at the time of hire or as a result of regular academic review. Covered compensation is allowed under UCRP up to the amount permissible by Internal Revenue Code provisions and in accordance with UCRP policy and provisions, and is the recognized salary for benefit calculations (i.e. retirement, disability, life insurance, etc.).

#### **Negotiated Salary Increment**

The negotiated salary increment is not included in covered compensation under UCRP<sup>1</sup>. The negotiated salary increment cannot exceed 30% of covered compensation.

Factors to be considered in approving a negotiated salary increment include but are not limited to comparative market salary data, good standing criteria, funding sources available.

<sup>&</sup>lt;sup>1</sup> All compensation paid by the University under the Pilot will be subject to Federal and State withholding and reported on a W-2 form as wages in accordance with IRS regulations and University policies and procedures.

#### Salary Attributes

The following chart defines the normal funding source for each salary component and whether the salary component is considered covered compensation for UCRP:

Salary Component	Fund Source	Covered Comp?
Covered Compensation (Scale rate + off-scale, if applicable)	State general funds	Yes
Negotiated Salary Increment	External funds	No
Summer Salary	Varies	No; Eligible for special Defined Contribution benefit (matching 3.5% contributions from employee and employer)
Administrative Stipend (if applicable)	Varies	Yes

#### Other Additional Compensation

Faculty may earn up to three-ninths additional summer compensation for research, teaching, and/or administrative service. A maximum of 2/9ths summer salary or the equivalent amount of academic year salary may be charged to NSF grants. Summer ninths shall be paid at the total UC salary rate according to standard summer salary policies. Any portion of a ninth paid for service in June shall be based upon the individual's salary in effect on June 30.

Summer Session teaching compensation will be based upon the total UC salary rate in effect on June 30 of the calendar year in which the Summer Session begins.

#### Administrative Compensation

Stipends issued for official administrative roles may not be included in the negotiated salary increment and must be recorded as separate payments. Classification of official administrative roles will be determined in accordance with campus practice.

### Leaves of Absence

Sabbatical leave and other leaves with pay will be granted at the total UC salary rate in effect during the period of the leave. State funds may be used only for the portion of a sabbatical leave related to a faculty member's covered compensation.

Medical leave will be granted at the total UC salary rate through June 30 of the year of the leave. If grant restrictions preclude payment of medical leave, the department must provide appropriate unrestricted funds to ensure full payment of the total UC salary rate. The University is under no obligation to continue the negotiated salary increment if the medical leave continues into the next salary negotiation cycle (7/1 - 6/30).

#### **Intercampus Transfers**

Temporary intercampus appointments, including Faculty Consultant payments, will be based on the total UC salary rate in effect during the temporary appointment.

For permanent intercampus transfers, APM – 510 applies. The negotiated salary increment may not be a factor in determining a competing UC offer (see Appendix A in APM – 510). If the new

campus is participating in the Trial program, the faculty member must negotiate a new proposal with his/her new campus.

## **Overload Teaching**

If any portion of the negotiated salary increment is based on overload teaching in a self-supporting UC program, the appropriate number of consulting days must be forfeited in accordance with APM 025.

## **Participation Effective Dates**

- The total UC salary rate will be effective July 1 through June 30. The total salary will not change during July 1 through June 30 period for any reason including but not limited to: mid-year salary scale adjustments (e.g. general range/COLA), retroactive merit increases, or the receipt of additional external funds. If a faculty member's salary is raised effective October 1 due to a general range/COLA, the negotiated salary increment will be adjusted downward while the covered compensation goes up so that the total UC salary remains unchanged for the fiscal year.
- Newly hired faculty with mid-year start dates may participate from the appointment begin date through June 30.
- Increases negotiated as a result of a formal retention will be effective on July 1 of the next year.
- Early withdrawal from the Plan is allowed only upon separation from the University or as a result of an official disciplinary action (as described in APM 015 and 016 and Senate Bylaw 230).
- Retroactive participation is not permitted.

#### Restrictions

- Faculty participating in this trial will remain subject to the requirements of other University policies
  including, but not limited to, Conflict of Interest, Conflict of Commitment, Faculty Code of Conduct,
  and policy on the requirement to submit proposals and receive awards for grants and contracts
  through the University.
- External consulting and other externally compensated activities by participating faculty members
  will be permitted in accordance with APM 025, Conflict of Commitment and Outside Activities of
  Faculty Members.
- The negotiated salary increment portion of a faculty member's salary does not transfer to other UC campuses. The faculty member will be required to renegotiate according to the implementation plan at the new campus (if there is one).

## **Financial Responsibility**

A sufficient contingency fund must be developed to assure the University does not incur unexpected costs due to the Plan.

Each faculty member with a negotiated salary increment will contribute released base-salary equal to 10% of the negotiated salary increment to the contingency fund. The released base salary will be replaced by an external fund source.

At steady-state, the minimum balance of the contingency fund should be 20% of the aggregate annual negotiated salary increments for the department. Regardless of the contingency fund level, if a faculty member loses funding during the annual negotiated period, the department must assure the faculty member receives his/her total UC salary for the negotiated period, without exception.

If the contingency fund has accumulated a surplus, the surplus may be used as follows:

- a) At least one-half may be used for academic purposes in the department or division of origin (including but not limited to graduate student support, faculty salaries and/or staff salaries) as recommended by the Chair and approved by the Dean; and
- b) The remainder may be used for other purposes in the school or campus as recommended by the Chair and the Dean and approved by the EVC.

Chairs will discuss the use of surplus funds with the department Senate faculty. Additional practices for approval or oversight may be developed by departments.

#### **Approval Procedures**

Divisional deans and the Vice Chancellor for Marine Science will inform the EVC on or before March 1 which departments in their divisions will participate in the Plan.

All eligible faculty members of a participating department may take part in the Plan. All members will receive a copy of the Plan document and Implementation Guidelines.

Proposal Preparation and Submission Process

For departments participating in the Plan:

- No later than March 1 of each year a call will be issued to Senate faculty by their respective home departments regarding the annual negotiation for the coming fiscal year.
- All ladder rank and in-residence faculty are permitted to participate in the negotiation process.
- Faculty are expected to maximize summer salary opportunities prior to proposing a negotiated salary increment.
- Prior to submission of a proposal, the faculty member must verify the proposed funding source with the appropriate campus Fund Manager/Department Business Officer. The Fund

Manager/Department Business Officer will confirm that the funding source is allowable and that it will remain in place for the entire fiscal year.

- After funding has been verified by the Fund Manager/Department Business Officer, the
  participating faculty member should submit the Plan Proposal Form to her/his Chair no later
  than April 1.
- Continuing participation in the Plan must be renegotiated, evaluated by the Chair, Dean and CAP, and approved by the EVC each year. Renewals are not automatic.

## **Evaluation of Proposals**

The Chair and department business office will review the proposal to ensure that:

- The requesting faculty member meets the good standing criteria
- The total salary requested is within the market-based salary standards for the department, is equitable within the department and across the discipline, and is consistent with this document.
- Allowable, appropriate, and demonstrably sufficient resources are available to support the proposal
- Contingency fund requirements are met

Funding obligations for the total UC salary including negotiated increment, contingency fund requirement, NIH salary cap gap, graduate student support, salary threshold levels, research equipment, etc., must be met and therefore this must be determined during the negotiation process.

The Chair will review the proposals and forward recommended proposals to the dean no later than April 15.

The Dean will review proposals and will forward recommended proposals to the EVC for CAP review before May 1.

CAP will review the proposal together with the participant's most recent academic review file and provide a recommendation to the EVC.

The EVC will make a final decision and inform the dean of approved proposals no later than June 1.

If approved by the EVC, the Chair will send a salary confirmation letter (Attachment A) to the faculty member confirming the faculty member's total salary for the coming fiscal year. Notification of approved participation will be sent to the faculty member, EVC, Dean, CAP, MSO, and AP Office.

If the Chair does not recommend a faculty member's proposal, the Chair should meet with the faculty member to see if a mutually agreeable solution can be reached.

If the Chair does not recommend a proposal because a faculty member does not have sufficient funding, the Chair will inform the Dean and the Dean will review. If the Dean concurs, the Dean will

communicate the finding to the faculty member and provide the faculty member an explanation. If the funding requirements can be reached prior to the annual deadlines, a proposal may be resubmitted.

If the proposal is not endorsed by the Chair because the faculty member does not meet the minimum good standing criteria, the Chair will inform the Dean and the Dean will review. If the Dean concurs, they will forward the proposal, the chair's assessment and the Dean's assessment to the EVC. Good standing cases will be reviewed by CAP, who will provide a recommendation to the EVC. The EVC will issue a final resolution within seven (7) days of receiving CAP's recommendation.

## **Approval Process**

Action	Authority	Initial Response	Next Step/Comments
Funding Authorization	Dept business	30 days	Resolve any issues with faculty
	officer		member then forward to chair
Salary Negotiation	Chair	30 days	Negotiate with faculty member
			and forward endorsement to
			dean
Dean Review	Dean	14 days	Review proposal and forward
			endorsement to EVC
CAP Review	CAP	~14 days	Review proposal and make
			recommendation to EVC
EVC Approval	EVC	14 days	Approve
Appeals	EVC	7 days of CAP	Review case and issue final
		review	resolution

## Notification, Documentation and Implementation

Approved proposals will be documented in writing and signed by the faculty member, Chair, Dean, and EVC.

### Department Responsibilities:

- Issue the annual call to the departmental faculty
- Document the funding authorization process used for all proposals
- Document the methodology used to determine the negotiated salary increment in each case
- Issue an annual salary confirmation letter to the faculty member
- Enter the negotiated salary in the payroll system
- Perform a post-audit of the salary implementation in payroll
- Report contingency fund account accumulations and expenditures to Dean and EVC
- Provide annual documentation of teaching and service activities and extramural expenditures
  for graduate students for all participating faculty. Explain why there have been changes in
  student support levels.

### Dean's Office Responsibilities:

• Notify the EVC by March 1 which departments will participate

- Ensure all participation criteria have been met and maintain documentation of reviews
- Ensure payroll action matches the approved negotiated salary amounts.

## **EVC** Responsibilities:

- Review faculty appeals of negative findings by the Dean and Chair
- Maintain appeal resolution documentation
- Notify the faculty member, Chair, and Dean of approved proposals
- Maintain open communications with Academic Senate on implementation issues and concerns
- Serve as Office of Record for approved proposals
- Forward the Campus Implementation Plan to the UC Provost for approval
- Provide annual report to the UC San Diego Academic Senate and CAP by November 1
- Prepare data for Provost annually as required by the Office of the President

#### **CAP** Responsibilities

- Review proposals prior to approval; provide recommendation to EVC
- Review faculty appeals of negative findings by the Dean and Chair where Good Standing criteria is at issue
- Review post audit annual reports on participation; provide feedback to EVC if there are issues or concerns

## Academic Senate Council Responsibilities

- Review annual report on trial participation and metrics
- Provide input on trial Plan and continuation of tool

#### **ATTACHMENT A: Faculty Notification Letter**

Date

**TO:** [Insert name of faculty member]

SUBJECT: General Campus Compensation Plan Salary Confirmation for 2013-14

This memo confirms your Total UC Salary as a participant in the General Campus Compensation Plan Trial (GCCP) during the 2013-2014 academic year.

## **Covered Compensation Rate:** [enter value of Rank/Step scale rate plus off-scale]

Your base salary, which includes the salary scale rate based on your rank/step plus any off-scale amount that has been approved for you, is considered covered compensation and is recognized for benefits calculations (retirement, benefits, life insurance, etc.). This amount is determined as a result of the academic review process.

## **Negotiated Salary Increment: [enter value of negotiated increment]**

Based on available and appropriate external funds, this portion of your salary has been negotiated for the current plan year only. The negotiated salary increment is <u>not</u> covered compensation. This amount is not guaranteed in future years.

#### Total UC Salary Rate: [insert total salary value: covered comp + negotiated salary increment]

Your academic year salary, effective July 1, 2013 – June 30, 2014, will be paid at the Total UC Salary Rate. The Total UC Salary may not be changed for any reason during the year. If the scale-based component is raised mid-year due to a general range/COLA, or any other reason, the negotiated salary increment will be adjusted downward so that the Total UC Salary remains constant.

During your participation in the GCCP, you must continue to meet all good standing criteria and comply with existing conflict of interest and conflict of commitment policies. Failure to supply required information will compromise your participation in the program.

Best regards,

Suresh Subramani Executive Vice Chancellor

c: CAP

AVC – Academic Personnel

AVC – Resource Administration

Dean

Chair

MSO