

**COMMITTEE ON FACULTY WELFARE & ACADEMIC FREEDOM (FWAF)****AGENDA****Wednesday, September 27, 2023****3:30pm – 5:00pm****ADMIN 345**

- I. Welcome and Introductions [3:30-3:35pm]**
  
- II. Chair’s Report – *Jayson Beaster-Jones* [3:35 – 3:45pm]**
  - A. Meeting Modality
  - B. Meeting Schedule: Wednesdays, 3:30-5:00pm
    - September 27
    - October 18
    - November 15
    - December 13
  - C. Representation on Systemwide Senate Committees
    - Jayson Beaster-Jones will serve as the UCM Representative on the University Committee on Faculty Welfare (UCFW)
    - David Jennings will serve as the UCM Representative on the University Committee of Academic Freedom (UCAF)
  - D. Informational Items
    - FWAF website (includes a description of the committee’s duties, membership, and the committee’s Bylaws)
    - UCM Senate Bylaws and Regulations
    - Systemwide Senate Bylaws and Regulations
    - Senate Consultation Guidelines
  - E. Campus and systemwide review items. FWAF members to discuss whether they prefer to review all items distributed by Divisional Council this year, or allow the FWAF Chair to only forward items relevant to FWAF.
  - F. DivCo Updates
  
- III. Consultation with VPAP Tom Hansford [3:45-3:55pm]**
  
- IV. Consent Calendar [3:55 – 4:00pm]**
  - A. Today’s agenda
  - B. May 5 draft Meeting Minutes
  - C. FWAF Conflict of Interest Policy<sup>1</sup>

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<sup>1</sup> All Senate Committees are encouraged to review their respective COI policy at their first meeting in the Fall. All Senate Committees COI policies are available on the Senate website: <https://senate.ucmerced.edu/conflict-interest>

**Requested Action:** Approval of the Consent Calendar

**V. Review of FWAF AY 23-24 Priorities – Jayson Beaster-Jones [4:00-4:10pm]**

FWAF's AY 22-23 priorities are available here.

**Requested Action:** FWAF to discuss the priorities and plan for AY 23-24.

**VI. Request from MWP Director Beck [4:10-4:30pm]**

Please refer to Director Beck's memo, available here.

Senate Bylaw 51 and other Bylaws are available here.

**Requested Action:** Members discuss and respond to Dr. Beck.

**VII. Systemwide Review Items [4:30 – 4:55pm]**

**A. Amendments to Senate Bylaw 55 - Departmental Voting Rights**

The amendments were proposed by the University Committee on Academic Personnel (UCAP) and endorsed by Academic Council last academic year. The memo from Academic Council Chair James Steintrager (hyperlinked above) offers some background for the proposed amendments.

*FWAF is a lead reviewer.*

**Requested Action:** Identify a FWAF lead reviewer. The lead reviewer's comments will be circulated via email by Friday, October 13 and will serve as the basis for FWAF's official response to the Senate Chair.

Comments are due to the Senate Chair by Friday, October 20, 2023.

**B. New Academic Personnel Manual (APM) section 672 – Negotiated Salary Program**

The proposed new APM would codify into policy to Negotiated Salary Trial Program (NSTP), which was first implemented in 2013. The Academic Senate reviewed the report of the NSTP Phase 2 Taskforce in **July 2022** (UCM's comments are available on pp. 36-42). The Senate also reviewed the NSTP in **2017** (UCM's comments are on page 28) and prior to this, when it was proposed in **2012**. **The memo** from Vice Provost Haynes offers additional background.

The purpose of the Negotiated Salary Program (NSP) is to provide a mechanism for participating campuses to augment faculty compensation basis according to the competitive requirements of academic disciplines. Specific goals of the Program include:

- To recruit and retain outstanding faculty by leveraging external, non-state-appropriated funds;
- To encourage and recognize significant contributions to the University mission; and
- To offer negotiated compensation to participating general campus faculty.

### Key Policy Provisions

- **Eligibility:** Eligibility is limited to Senate faculty and Acting appointees in Senate titles. Faculty who hold appointments in a Health Sciences school, college, or department with a Health Sciences Compensation Plan are not eligible to participate in the NSP.
- **Implementation Plan:** Each campus must develop an Implementation Plan that is consistent with the policy. The Implementation Plan will be reviewed by the appropriate division Academic Senate committee, approved by the Chancellor, and reviewed by the UC Provost/EVP prior to implementation.
- **Contingency Plan:** The Campus Implementation Plan must include a Contingency Plan outlining a strategy for covering the agreed-upon compensation to each NSP participant in the event that current-year income is unexpectedly insufficient to do so.
- **Good Standing Criteria:** Written Good Standing Criteria shall be established at the campus level and must be included in the Campus Implementation Plan. Faculty participants in the NSP must be in Good Standing, make significant contributions to the mission of the University, and meet all other conditions of the campus plan.
- **Negotiated Salary Component:** The Negotiated Salary component cannot exceed 30% of the Base Salary that was in effect on July 1 of the proposed participation year.
- **Range Adjustments:** Covered Compensation is eligible for the general range adjustment, but the Negotiated Salary Component will be adjusted so that the Total UC Salary Rate remains unchanged.
- **Summer Ninths:** To be eligible for NSP, the candidate must take the maximum amount of summer salary available to them unless the Campus Implementation Plan includes provisions allowing participants to take fewer summer ninths. Locations have authority to grant exceptions to the summer ninths requirement. Campus Implementation Plans shall address the process by which a participant may request an exception to the summer ninths requirement.
- **Leaves of Absence:** Salaried leaves of absence will be paid at the Total UC Salary Rate, which includes the Negotiated Salary Component. In the event of a funding shortfall, the Contingency Plan will be implemented to resolve the shortfall.
- **Data Collection:** Appendix A (third attachment) establishes minimum requirements for collection of data on which locations must be prepared to report, if requested to do so.

*FWAF is a lead reviewer.*

**Requested Action:** Identify a FWAF lead reviewer. The lead reviewer's comments will be circulated via email by Monday, October 9 and included in the October 18 FWAF agenda.

Comments are due to the Senate Chair by Friday, November 3, 2023.

C. Proposed Presidential Policy on Vaccination Programs

The tracked changes version and the explanatory cover letter from UCOP are available via the above link.

**Requested Action:** Determine if FWAF will offer comments (not lead reviewer). If opining, the lead reviewer's comments will be circulated via email by Monday, October 9 and included in the October 18 FWAF agenda.

Comments are due to the Senate Chair by Friday, October 20, 2023.

D. Proposed revisions to the UC Presidential Policy on Affiliations with Certain Healthcare Organizations

The revisions finalize the Interim Policy of the same name that underwent a systemwide review in Spring 2022. The Senate Divisions' comments on that policy are available here ([UCM comments are on pp. 23-36 and FWAF's memo is on page 30.](#)). The memo from Dr. King, UC Health (hyperlinked above) provides a summary of policy revisions and concerns they address.

**Requested Action:** Determine if FWAF will offer comments (not lead reviewer). If opining, the lead reviewer's comments will be circulated via email by Monday, October 2.

Comments are due to the Senate Chair by Monday, October 9.

**VIII. Other Business [4:55-5:00pm]**