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University Final Offer
LX – Article 4 – Process for Merit Increase, Promotion, and Career Status
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**ARTICLE 4
PROCESS FOR MERIT INCREASE, PROMOTION, AND CAREER STATUS**

A. RESPONSIBILITY

1. Local campus procedures shall provide for the selection of members of a review committee to advise the designated University official on the merit increases, promotions, and career status actions for members of the Librarian Series in this bargaining unit. Appointees holding titles in the series shall compose the majority of this committee.
2. When the designated University official determines the need for an ad hoc review committee, local campus procedures the designated University official shall provide for the nomination of members of ad hoc review committees to advise in the academic review of members of this series.

B. DEFINITIONS

1. A promotion is an advancement to a higher rank within this series.
2. A merit increase is an advancement in salary within rank in this series.
3. Career status is achieved upon successful completion of a suitable trial period in potential career status.

C. PROCEDURES

The following provisions shall apply:

1. The performance of each appointee shall be reviewed periodically and the review shall include participation by a review committee.
 - a. On the current salary scale, the normal intervals for academic reviews of incumbents in the librarian series are every year in the Assistant Librarian rank; every year in the first two steps of the Associate Librarian rank; every two years beginning with Step III of the Associate Librarian rank through Step II of the Librarian rank (following the initial two year review at Associate Librarian Step VII, the Associate Librarian Step VII shall be subject to subsequent reviews every three years); every three years beginning with Step III of the Librarian rank through Step V of the Librarian rank. Service at Associate Librarian Step VII and Librarian Step IV may be of indefinite duration. However, reviews must be conducted at least every three years at these steps unless an individual or review initiator requests an earlier review. Upon ratification of the agreement reached between the parties during the 2008 successor negotiations, salary steps will be replaced by salary ranges. An abbreviated evaluation will replace the current review process for all reviews other than a review

~~for career status, promotion to a higher rank within the series, distinguished status, and an accelerated review.~~

- b. ^{stet msn} ~~On the new salary scale,~~ ^{T CCL msn} the normal intervals for academic review of incumbents in the librarian series are every two years in the Assistant Librarian rank, and every two years in the first six steps of the Associate Librarian rank, and every three years beginning with Step VII of the Associate Librarian rank through Step VII of the Librarian rank. Service at Associate Librarian Step VII and Librarian Steps V, VI, and VII may be of indefinite duration. However, reviews must be conducted at least every three years at these steps unless an individual or review initiator requests an earlier review.
- c. ~~All salary increase dollars will be pooled together each year and distributed as follows to librarians in the unit: 25% will be used for COLA adjustments every year and 75% will be used for merit increases. Merit increase amounts will be awarded at the sole discretion of the University.~~

2. A deferred review is the omission of an academic review during a year when a review would normally take place. It is a neutral action which can only be initiated with the written agreement of the reviewee.
- a. A review may be deferred if prolonged absence or other unusual circumstances have resulted in insufficient evidence to evaluate performance. Reasons for review deferral must be in writing and all proposed deferrals must be submitted for written recommendations to the designated University official. The University's decisions concerning review deferrals shall not be subject to grievance and arbitration.
- b. When a deferral takes place, the review is deferred for one year whether a person's review cycle is 2 or 3 years. Hence deferral for an additional, consecutive year should be regarded as a new request and thus subject to the same procedure. After the completion of a review which has been deferred, the review cycle will resume anew at the 2 or 3 year interval.
3. The Call for merit increases, promotions and career status actions and the calendar of due dates for the review process shall be issued and distributed each year to every member of the librarian series no later than thirty (30) days prior to the first required action following issuance of the Call in the procedures. The librarian shall be notified of the decision normally within nine (9) months of the first required action. This deadline may be extended upon the mutual agreement of the parties.
4. All members of the librarian bargaining unit will be informed in writing, on a yearly basis, of their eligibility for review.

5. A member of the librarian bargaining unit who is not normally eligible for a review during a particular review cycle may request and receive an accelerated review during that cycle. The decision regarding the librarian's request shall be made in accordance with campus guidelines.
6. The University shall notify the candidate of the impending review and shall inform the candidate about the review process, including the criteria to be used.
7. The candidate shall be given the opportunity to ask questions and to supply information and evidence to be evaluated in the review.
8. The University may solicit letters evaluating the candidate from qualified persons, including a reasonable number of persons whose names have been provided by the candidate. The decision whether or from whom to solicit letters shall not be subject to grievance and arbitration.
 - a. The candidate may provide in writing to the review initiator or other appropriate person, names of persons who in the view of the candidate, for reasons provided by the candidate, might not objectively evaluate in a letter or on a committee, the candidate's qualifications or performance. Any such statement provided by the candidate shall be included in the academic review file. The University decision regarding the requested disqualification shall not be subject to grievance and arbitration.
 - b. In soliciting letters of evaluation or following the receipt of an unsolicited letter, the University shall include, attach or send a statement regarding confidentiality of such letters.
 - c. All such letters used in the review, even if unsolicited, shall be included in the file.
9. An academic review file shall be prepared for each candidate who is being considered for a merit increase, promotion, ~~accelerated review, distinguished status,~~ or career status action. The review initiator is responsible for preparing the candidate's review file, which consists of the review initiator's letter of recommendation together with pertinent additional letters, if any, including those letters solicited from individuals as provided for in 8. above, and required documents.

The review initiator's letter of recommendation, without disclosing the identities of sources of confidential documents, shall discuss the proposed personnel action in light of the criteria and substantiated by supporting evidence contained in the file. The letter of recommendation shall provide a comprehensive assessment of the candidate's qualifications, together with detailed evidence to support the evaluation, including an up-to-date biography and bibliography. The letter may also present a report of consultation with appropriate members of the

professional library staff and others in a position to evaluate performance and may include any dissenting opinions.

10. Before forwarding the academic review file to the next level of review, the review initiator shall provide the candidate an opportunity to inspect all documents to be included in the review file other than confidential academic review records as defined in Article 5, Personnel Files. A copy of the review initiator's letter of recommendation shall be provided to the candidate.
11. The University shall provide to the candidate, upon written request, a redacted copy of the confidential documents included in the record.
12. The candidate may submit for inclusion in the record a written statement in response to or commenting upon material in the file.
13. Upon completion of the procedures described above, a statement shall be signed by the candidate certifying that the prescribed procedures have been followed. A documentation checklist listing the contents of the review file shall also be signed by the candidate. The certification statement and the documentation checklist shall be included in the review file.
14. Decisions and recommendations of the review committee(s) shall be based solely upon material within the review packet.
15. If, during subsequent review of a recommendation, the review file is found to be incomplete or inadequate by the reviewer or review committee, additional information shall be solicited through the designated University official who will inform the candidate that such new material is being added to the review file. The candidate shall have access to all non-confidential material added to the file and upon request, a redacted copy of the confidential documents shall be provided to the candidate. The candidate shall also be provided the opportunity to submit a written statement in response to the additions to the review file. The review shall then be based upon the personnel review file as augmented.
16. No documentation other than the recommendation(s) of the review committee(s) may be added to the review file without annotation of the certification statement and the documentation checklist.
17. The review file shall be referred to a review committee. On the basis of all evidence in the review file including the report from an ad hoc review committee, if any, the review committee will submit a comprehensive report and recommendation for action to the designated University official.
 - a. In conducting its review and arriving at its recommendation concerning a candidate, each review committee shall be guided by the criteria.

- b. The report of the review committee(s) shall be submitted to the University's deciding officer.
 - c. The deliberations and recommendations of the review committees are to be strictly confidential.
18. In cases of promotion, conferral of career status, or recommendation for termination of appointment, if the preliminary assessment of the University's deciding officer is contrary to the recommendations of the review committee, the University's deciding officer shall notify that committee with respect to the assessment. The review committee shall be given the opportunity for further comment before the final decision is made.
19. In a case of promotion, conferral of career status or recommendation for termination of appointment, if the University's deciding officer's preliminary assessment is to terminate appointment or not to confer career status, the candidate shall be notified of the opportunity to request access to records in the academic review file, subject to Article 5, Personnel Files. The candidate and review initiator shall then have the opportunity to respond in writing and to provide additional information and documentation.
20. The designated University official shall inform the candidate in writing of the final administrative decision. Upon request, a candidate ~~may shall~~ ^{shall} receive, from the University's deciding officer, a written statement of the reasons for his/her decision and, if requested, a redacted copy of the confidential documents in the academic review file. Such a statement shall not disclose the identities of persons who were sources of confidential documents.
21. ~~The~~ An arbitrator shall have the authority to determine whether the University has violated a procedure set forth herein. However, in any grievance alleging a violation of this Article, the arbitrator shall not have the authority to review any decision to:
- a. Initiate an academic review;
 - b. Award or deny a merit increase;
 - c. Award or deny a promotion;
 - d. Award or withhold career status;
 - e. Terminate a librarian following academic review.

If the arbitrator finds that the alleged violation had a material, negative impact on the outcome of the review, the arbitrator's remedy shall be limited to directing the University to repeat, to the extent practicable, the review process from the point at which the violation occurred. Any repeat procedure remedy may include the formation of a new review committee.