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2 UNIVERSITY OF OREGON COUNTERPROPOSAL(2/29/2024)

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7 **ARTICLE 19. CAREER FACULTY REVIEW AND PROMOTION**

8
9 **Preamble.** Career appointments are either Career instructional or Career research for the
10 purposes of this Article.

11
12 Career instructional faculty are those with appointments in the Career classification in the
13 following categories: Instructor, Lecturer, Librarian, Clinical Professor (when an instructional
14 appointment), Professor of Practice, and Teaching Professor.

15
16 Career research faculty are those with appointments in the Career classification in the following
17 categories: Research Professor, Clinical Professor (when a research appointment), Research
18 Assistant, Research Associate, Research Scientist, Research Engineer, and Principal Research
19 Scientist.

20
21 **Career Faculty Review and Promotion**

22
23 **Section 1.** Reviews for Career faculty will include reviews associated with performance,
24 promotion, and continuous employment. A performance review will not be required in the year a
25 bargaining unit faculty member has a promotion or continuous employment review.

26
27 **Section 2. Policies and Procedures.** Each department or unit that employs Career faculty will
28 maintain unit-level policies for Career faculty review and promotion in accordance with Article
29 4.

30
31 **Career Faculty Performance Reviews**

32
33
34 **Section 3. Performance Reviews.** Performance reviews for Career faculty are for the purpose of
35 determining if the faculty member is meeting the standard of excellence appropriate to a Career
36 instructional or Career research faculty member at an AAU institution based on their job duties.
37 Performance reviews should be designed to help Career faculty members grow as educators,
38 scholars, and researchers, as appropriate; identify areas of strength; and identify areas that need
39 improvement associated with their position. Career performance reviews should include a stage-
40 appropriate assessment of the likelihood of success in a subsequent promotion review.

41 ~~Performance reviews shall account for any lack of support and services necessary to the~~
42 ~~performance of professional responsibilities. Bargaining unit faculty members who have not~~
43 ~~received from the University the material support and services to perform their professional~~
44 ~~responsibilities shall be held harmless for those particular professional responsibilities in~~
45 ~~performance review and promotion processes.~~

1 **Section 4. Performance Review Timing.**

- 2
- 3 a. Career instructional faculty will have a performance review each year for the first three
- 4 years of their employment and at least once every three years thereafter (academic years
- 5 for 9-month appointments and fiscal years for 12-month appointments). The three-year
- 6 schedule is reset after a successful promotion or continuous employment review.
- 7
- 8 b. Career research faculty will have a performance review annually, which will also serve as
- 9 the basis for distributions if a merit pool is agreed to in Article 26.
- 10
- 11 c. Performance reviews may take place out of cycle when a department or unit head has
- 12 identified or become aware of performance problems. The department or unit head shall
- 13 meet with the Career faculty member to discuss areas of concern and evaluate whether a
- 14 formal out-of-cycle performance review or performance improvement plan (Section 6.e)
- 15 is warranted. Nothing in this Article changes the process for addressing poor performance
- 16 for funding-contingent faculty set forth in Article 16, Section 18.
- 17

18 **Section 5. Performance Review Period and Criteria.** Reviews will consider the Career

19 bargaining unit faculty member’s performance since their last review. Career faculty members

20 will be evaluated only by the criteria approved and made available to them. If the criteria have

21 changed since their previous review, the faculty member must choose either the earlier or current

22 set of criteria.

23

24 **Section 6. Performance Review Process.**

- 25
- 26 a. As part of each performance review, a Career faculty member will have an opportunity to
- 27 submit a **brief** personal statement (**no more than three pages**) containing information
- 28 relevant to their performance of assigned duties and responsibilities.
- 29
- 30 b. The review process will include an opportunity for the Career faculty member to discuss
- 31 their efforts, performance, and goals or improvement opportunities with an appropriate
- 32 supervisor, department, or unit head at least once during each review period.
- 33
- 34 c. Performance reviews must include a determination if the Career faculty member meets,
- 35 **exceeds**, or does not meet expectations in each of their assigned duties.
- 36
- 37 d. The supervisor, department, or unit head will summarize, in writing, any committee or
- 38 peer review along with their own assessment and will communicate the results of the
- 39 review and provide a copy of their summary in writing to the bargaining unit faculty
- 40 member. The faculty member will have 10 days from the date of the receipt of the report
- 41 to provide a response, which shall be appended to the completed performance review.
- 42
- 43 e. If the determination of the performance review is that the Career faculty member does not
- 44 meet expectations in one or more of their assigned duties, the supervisor, department, or
- 45 unit head will meet with the faculty member to discuss a performance improvement plan,
- 46 which will include written documentation of the areas for improvement, instructions to

1 meet expectations in those areas, a timeline to carry out those instructions, and an explicit
2 timeframe for assessing progress. The performance improvement plan will be signed by
3 the supervisor, faculty member, and vice president, vice provost, dean, or director.
4

5 If that follow-up progress assessment, which may be a performance review, determines
6 that the Career faculty member still does not meet expectations in one or more of the
7 assigned duties previously identified as areas of concern, that Career faculty member may
8 be subject to layoff (Article 16, Section 12.a.).
9

10 **Career Promotion Reviews**

11 **General Career Promotion Review Considerations**

12
13 **Section 7. Accelerated Review.** An accelerated promotion review may occur in particularly
14 meritorious cases as determined by the Office of the Provost in consultation with the appropriate
15 vice president, vice provost, dean, department or unit head, and the bargaining unit faculty
16 member.
17
18

19
20 **Section 8. Credit for Prior Service.** Bargaining unit faculty members reclassified from Pro Tem
21 to Career positions shall receive credit towards promotion for the number of years employed as
22 Pro Tem faculty. When a bargaining unit faculty member receives credit for prior service ~~is~~
23 ~~agreed upon~~, the terms of hire or reclassification will state the number of years of credit granted
24 for comparable work, specific review considerations, and the earliest date for promotion
25 eligibility. ~~Bargaining unit faculty members reclassified from Pro Tem to Career positions will~~
26 ~~receive credit towards promotion for the number of years employed as Pro Tem faculty.~~
27

28 **Section 9. Reapplication for Promotion.** An unsuccessful candidate for promotion may
29 continue employment at their current rank as long as eligible to do so under this Agreement.
30 Career faculty bargaining unit members who are denied promotion may reapply for promotion
31 after having been employed by the university for an additional three years or longer at an average
32 of 0.5 annualized FTE per year, accrued at no greater than three terms per academic year for
33 bargaining unit faculty on 9-month appointments, and at four terms per year for bargaining unit
34 faculty on 12-month appointments.
35

36 **Section 10. Appeal of Promotion Denial.** Faculty who are denied promotion may appeal the
37 decision through the procedures in Article 21, Tenure and Promotion Denial Appeal.
38

39 **Section 11. Withdrawal of Application.** A candidate may withdraw an application for
40 promotion in writing to the Provost and the dean at any time before the Provost's decision.
41
42

43 **Career Instructional Promotion Reviews**

44
45 **Section 12. Eligibility for Promotion.** Career instructional faculty may elect to initiate the
46 promotion process when eligible to do so. Career faculty members will be eligible for promotion
47 after accumulating six years of employment less any credit for prior service granted (Section 8)

1 as a faculty member at or above an average of 0.5 annualized FTE over **the** six years, accrued at
2 no greater than three terms per academic year for bargaining unit faculty with 9-month
3 appointments, and at four terms per year for bargaining unit faculty with 12-month
4 appointments. The six years of employment do not have to be consecutive.

- 5
- 6 a. Career instructional faculty members who will have completed five years of employment
7 as a Career faculty member at or above 0.5 annualized FTE per year may initiate the
8 promotion process in the Spring term of the fifth year if they have an expected
9 appointment of 0.5 annualized FTE or greater for the sixth year.
- 10
- 11 b. Career instructional faculty members who have completed more than five years of
12 employment as a Career faculty member at or above 0.5 annualized FTE per year may
13 initiate the promotion process in the Spring term of any year.
- 14
- 15 c. Cases involving positions or terms of service below 0.5 FTE may be considered for
16 promotion by the Office of the Provost in accordance with the principles set forth in this
17 Article.
- 18
- 19 d. Career instructional faculty members who have achieved promotion must wait at least
20 **five ~~six~~** years before initiating the promotion process again (**for a promotion review in the**
21 **subsequent year**), regardless of the number of accumulated years of employment.
- 22

23 **Section 13. Review Period and Election of Criteria.** The promotion review period for a Career
24 instructional bargaining unit faculty member will be the time in their current classification and
25 rank, with emphasis on the six most recent years.

26

27 The bargaining unit faculty member will be reviewed for promotion relative to the criteria in
28 effect when the review period began. If the criteria have changed since their hire or previous
29 review, the faculty member must choose either the earlier or current set of criteria.

30

31 **Section 14. Initiating the Promotion Process.** Career instructional faculty wishing to be
32 considered for promotion should notify the appropriate department or unit head in the Spring
33 term prior to the year when promotion is sought, and must provide the following **materials by**
34 **Fall of the review year**:

- 35
- 36 ● **Curriculum vitae:** A comprehensive and current curriculum vitae that includes the
37 bargaining unit faculty member's current **teaching, professional development**, research,
38 scholarly, and creative activities **and accomplishments**, including publications,
39 appointments, presentations, and similar activities and accomplishments **as applicable**.
 - 40
 - 41 ● **Personal statement:** A 2–6-page personal statement developed by the bargaining unit
42 faculty member evaluating their performance measured against the applicable criteria for
43 promotion. The personal statement should expressly address the subjects of teaching;
44 scholarship, research and creative activity, as applicable; and service contributions to the
45 academic department, center or institute, school or college, university, profession, and the
46 community. The statement should also include discussion of contributions to diversity,

1 equity, and inclusion.

- 2
- 3 ● **Teaching portfolio (if applicable):** Representative examples of course syllabi or
- 4 equivalent descriptions of course content and instructional expectations for courses taught
- 5 by the bargaining unit faculty member, examples of student work and exams, and similar
- 6 material; information from student experience surveys, which will be considered in light
- 7 of the response rate; information on the development of new courses and curriculum
- 8 development; information on contributions to university-wide teaching practices (if
- 9 applicable).
- 10
- 11 ● **Scholarship portfolio (if applicable):** A comprehensive portfolio of scholarship,
- 12 research, and creative activity; and appropriate evidence of national or international
- 13 recognition or impact.
- 14
- 15 ● **Service portfolio (if applicable):** Evidence of the bargaining unit faculty member's
- 16 service contributions to their academic department, center or institute, school or college,
- 17 university, profession, and the community, such as op ed pieces, white papers authored or
- 18 co-authored by the faculty member, commendations, awards, or letters of appreciation.
- 19 The service portfolio may also include a short narrative elaborating on the faculty
- 20 member's unique service experiences or obligations.
- 21
- 22 ● **Professional development statement (if applicable):** A statement that provides a short
- 23 narrative elaborating on the professional development activities of the bargaining unit
- 24 faculty member related to their job duties.
- 25
- 26 ● **Professional activities portfolio (if applicable):** A comprehensive portfolio of
- 27 professional or consulting activities related to their discipline.
- 28
- 29 ● **Internal and/or external reviewers (if applicable):** A list of qualified internal and/or
- 30 external reviewers provided by the bargaining unit faculty member.
- 31

32 **Section 15. Waiver of Access to Materials.** Bargaining unit faculty members may choose to
33 waive in advance in writing their access to see any or all of the evaluative materials. Such
34 waivers, however, shall not preclude the use of redacted versions of these documents in a denial
35 review process. The redacted versions are intended to protect the identity of the reviewer. If
36 redactions are insufficient to do so, the University may prepare a suitable summary. A waiver
37 will be included in the promotion file.

38

39 **Section 16. Notice of Meetings.** A bargaining unit faculty member will receive at least three
40 business days' notice of any meeting or hearing which the member is invited or required to
41 attend, with a dean, vice provost, or the Office of the Provost regarding recommendations or
42 decisions on promotion. The bargaining unit faculty member may have a colleague or Union
43 representative present at the meeting as an observer.

44

45 **Section 17. Evaluation file.** The promotion review file should generally include the following
46 information:

- Statement of duties and responsibilities
- Curriculum vitae
- Conditions of appointment
- Criteria for promotion
- Personal statement
- Supervisors' letters of evaluation
- Professional activities portfolio (if applicable)
- Teaching portfolio (if applicable)
- Scholarship portfolio (if applicable)
- Service portfolio (if applicable)
- Professional development statement (if applicable)
- Internal and/or external reviews (if applicable)
- Department or unit committee recommendation
- Department, unit, center, or institute head's recommendation (if applicable)
- Vice president's, dean's, or director's recommendation
- Waiver of access to materials (if applicable)

Section 18. Review by Department or Unit. The department or unit head or designee should solicit any internal and/or external reviews, as applicable. A department or unit committee will review the file and make a recommendation to the department or unit head. The department or unit head will then prepare an explanation of the merits of the promotion case and a recommendation on the case. The report will include the department or unit-level promotion committee report and recommendation and a voting summary, and the department or unit head's own independent recommendation. The file will then be sent to the appropriate vice president, vice provost, dean, or director for review.

Section 19. Review by Vice President, Vice Provost, Dean, or Director. The vice president, vice provost, dean, or director, as appropriate, will review the file, and may consult with appropriate persons and ~~may~~ ask for and document additional non-confidential information. Once the vice president, vice provost, Provost, dean, or director deems the file complete, they will prepare a separate memorandum and recommendation.

The vice president, vice provost, Provost, dean, or director will share their memorandum and recommendation with the candidate and notify the candidate that they may provide responsive material for the file within 10 days from the date of receipt of the memorandum; this response shall be included in the evaluation file. If the assessment of the dean or vice provost above differs from that of the department or unit head or the school- or college-level personnel committee, they will provide an explanation of the reasons underlying their judgment. The vice president, vice provost, dean, or director then will submit the complete evaluation file to the Office of the Provost.

Section 20. Review by the Office of the Provost. By June 1, the Office of the Provost will review the file and decide whether to grant or deny promotion. The candidate will be notified of the decision in writing. If the Office of the Provost decides the review is unsuccessful, the decision letter will contain an explanation of the reasons underlying their decision. In the case of

1 a decision to deny promotion that is contrary to a recommendation of a vice president, vice
2 provost, dean, or director, the decision letter of the Office of the Provost shall include a detailed
3 explanation of reasons for rejecting the recommendation, which shall identify any assessments of
4 merit and representations of fact contained in the recommendation with which the Office of the
5 Provost disagrees.

6
7 **Section 21. Assumption of New Rank.** Successful candidates for promotion will assume their
8 new rank beginning with the next academic or fiscal year or the nearest next term of employment
9 should their appointment not begin with fall term.

10 11 12 **Career Research Promotion Reviews**

13
14 **Section 22. Eligibility for Promotion.** Career research faculty may elect to initiate the
15 promotion process when eligible to do so. Career faculty members will be eligible for promotion
16 after accumulating six years of employment as a Career faculty member less any credit for prior
17 service granted (Section 8) at or above an average of 0.5 annualized FTE over six years. The six
18 years of employment do not have to be consecutive.

19
20 Career research faculty members who have achieved promotion must wait at least ~~five six~~ years
21 before initiating the promotion process again (for a promotion review in the subsequent year),
22 regardless of the number of accumulated years of employment.

23
24 **Section 23. Review Period and Election of Criteria.** The promotion review period for a Career
25 research bargaining unit faculty member will be the time in their current classification and rank.

26
27 The bargaining unit faculty member will be reviewed for promotion relative to the criteria in
28 effect when the review period began. If the criteria have changed since their hire or previous
29 review, the faculty member must choose either the earlier or current set of criteria.

30
31 **Section 24. Initiating the Promotion Process for Career Research Faculty.** Candidates
32 wishing to be considered for promotion should notify the appropriate department or unit head in
33 the Spring term prior to the year when promotion is sought, and must provide the following
34 materials by Fall of the review year:

- 35
36
- 37 ● **Curriculum vitae or resume:** A comprehensive and current curriculum vitae or resume
38 that includes the bargaining unit faculty member's current research, scholarly, and
39 creative activities ~~and accomplishments~~, including publications, appointments,
40 presentations, and similar activities and accomplishments, as applicable.
 - 41 ● **Personal statement:** A 2-6-page personal statement developed by the bargaining unit
42 faculty member evaluating their performance measured against the applicable criteria for
43 promotion. The personal statement should expressly address their impact and
44 contribution to research excellence relative to their job duties. This statement should also
45 include discussion of contributions to diversity, equity, and inclusion.
 - 46 ● **Scholarship portfolio (if applicable):** A comprehensive portfolio of scholarship,
47

1 research, and creative activity; and appropriate evidence of national or international
2 recognition or impact.

- 3
- 4 ● **Service portfolio (if applicable):** Evidence of the bargaining unit faculty member's
5 service contributions to their academic department, center or institute, school or college,
6 university, profession, and the community, such as op ed pieces, white papers authored or
7 co-authored by the faculty member, commendations, awards, or letters of appreciation.
8 The portfolio may also include a short narrative elaborating on the faculty member's
9 unique service experiences or obligations.
- 10
- 11 ● **Professional activities portfolio (if applicable):** A comprehensive portfolio of
12 professional or consulting activities related to their discipline.
- 13
- 14 ● **List of reviewers (if applicable):** A list of qualified internal and/or external reviewers
15 provided by the bargaining unit faculty member. Normally, external reviews are not
16 expected for those in the research assistant ranks.
- 17

18 **Section 25. Waiver of Access to Materials.** Bargaining unit faculty members may choose to
19 waive in advance in writing their access to see any or all of the evaluative materials. Such
20 waivers, however, shall not preclude the use of redacted versions of these documents in a denial
21 review process. The redacted versions are intended to protect the identity of the reviewer. If
22 redactions are insufficient to do so, the University may prepare a suitable summary. A waiver
23 will be included in the promotion file.

24

25 **Section 26. Notice of Meetings.** A bargaining unit faculty member will receive at least three
26 business days' notice of any meeting or hearing which the member is invited or required to
27 attend, with a dean, vice provost, or the Office of the Provost regarding recommendations or
28 decisions on promotion. The bargaining unit faculty member may have a colleague or Union
29 representative present at the meeting as an observer.

30

31 **Section 27. Evaluation file.** The promotion review file should generally include the following
32 information:

- 33
- 34 ● Statement of duties and responsibilities
- 35 ● Curriculum vitae
- 36 ● Conditions of appointment
- 37 ● Criteria for promotion
- 38 ● Personal statement
- 39 ● Supervisors' letters of evaluation
- 40 ● Professional activities portfolio (if applicable)
- 41 ● Scholarship portfolio (if applicable)
- 42 ● Service portfolio (if applicable)
- 43 ● Internal and/or external reviews (if applicable)
- 44 ● Department, unit, center, or institute head's recommendation
- 45 ● Vice president's, dean's, or director's recommendation
- 46 ● Waiver of access to materials (if applicable)

1
2 **Section 28. Review by Department Head or Unit Director or Manager.** The department or
3 unit head or designee should solicit any internal and/or external reviews, as applicable. The
4 department or unit head will then review the file, including any internal or external reviews, and
5 prepare a recommendation and an explanation of the merits of the promotion case. The file will
6 then be sent to the appropriate vice president, vice provost, or dean for review. In the event that
7 the unit head is the faculty member's supervisor/director/manager, the supervisor letter of
8 evaluation and the unit head review may be combined into a single recommendation.

9
10 **Section 29. Review by Vice President, Vice Provost, Dean, or Director.** The vice president or
11 dean, as appropriate, will review the file, and may consult with appropriate persons and may ask
12 for and document additional non-confidential information. Once the vice president or dean
13 deems the file complete, they will prepare a separate memorandum with a recommendation.

14
15 If the vice president, vice provost, dean, or director's assessment differs from that of the
16 department or unit committee or the department or unit head, the memorandum and
17 recommendation will provide an explanation of the reasons underlying their judgment.

18
19 The vice president, vice provost, dean, or director will share their memorandum and
20 recommendation with the candidate and notify the candidate that they may provide responsive
21 material for the file within 10 days from the date of receipt of the memorandum. This response
22 shall be included in the evaluation file. The vice president, vice provost, dean, or director then
23 will submit the complete evaluation file to the Office of the Provost.

24
25 **Section 30. Review by the Office of the Provost.** By June 1, the Office of the Provost will
26 review the file, with appropriate input, and decide whether to grant or deny promotion. The
27 candidate will be notified of the decision in writing. If the Provost decides the review is
28 unsuccessful, the decision letter will contain an explanation of the reasons underlying their
29 decision. **In the case of a decision to deny promotion that is contrary to a recommendation of a**
30 **vice president, vice provost, dean, or director, the decision letter of the Office of the Provost**
31 **shall include a detailed explanation of reasons for rejecting the recommendation, which shall**
32 **identify any assessments of merit and representations of fact contained in the recommendation**
33 **with which the Office of the Provost disagrees.**

34
35 **Section 31. Assumption of New Rank.** Successful candidates for promotion will assume their
36 new rank beginning with the fiscal year following notification of their promotion, or other date
37 as approved, by the Office of the Provost, whichever comes first.

38 39 40 **Career Continuous Employment Reviews**

41
42 **Section 32. Purpose.** The primary function of Career Continuous Employment Reviews is to
43 foster continued professional growth and reward excellence. Career Continuous Employment
44 Reviews are optional.

45
46 **Section 33. Eligibility.** To be eligible for a Career Continuous Employment Review, a

- 1 bargaining member must satisfy the following:
- 2 a. Must have a Career appointment in a single-rank category or at the highest rank in their
 - 3 category; and,
 - 4 b. Must have an annualized 0.5 FTE or greater; and,
 - 5 c. Must have accumulated six years of service at 0.5 FTE or greater, as measured from their
 - 6 appointment in the single-rank category, since achieving promotion to the highest rank in
 - 7 their category, or since their most recent Career Continuous Employment Review.

8

9 **Section 34. Process.** To initiate the Career Continuous Employment Review, the eligible
10 bargaining unit faculty member must notify their department or unit head consistent with Section
11 14 or 24, as appropriate. Continuous employment reviews for Career faculty will generally
12 mirror the scope and process for Career instructional or Career research promotion reviews to the
13 highest rank. If the final ‘Review by the Office of the Provost’ (Section 20 or 30 equivalent) in a
14 Continuous Employment Review determines that the bargaining unit faculty member’s
15 performance in all categories meets or exceeds expectations, the bargaining unit faculty member
16 will receive an increase to their base salary per Article 26.