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Merit Pay: Current and Future Models - Faculty Compensation Program, Rutgers University

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VIII - SALARY PROVISIONS,
FACULTY COMPENSATION PROGRAM (herein "FCP")
AND
HEALTH INSURANCE BENEFITS

Subject to the appropriation of and allocation to the University by the State of adequate funding for the specific purposes identified for the full period covered by this Agreement, the following economic provisions shall apply:

PART ONE: FACULTY SALARY PROVISIONS

I. Fiscal Year 2007-2008

A. All persons who are members of the faculty on June 30, 2007 and who continue to be employed as faculty members on July 1, 2007 shall receive a salary increase effective July 1, 2007 in the amount of 3% based upon the January 1, 2007 – June 30, 2007 salary schedules.

B. In addition, all persons holding the ranks of Assistant Instructor and Instructor who are members of the faculty on June 30, 2007, who continue to be employed as faculty members beyond that date, and whose salaries after adjustment by the increase set forth in I. A. above are below the minimum salaries set forth in Section VI. below, shall receive a further increase effective July 1, 2007 to bring their salaries to the minimum.

II. Fiscal Year 2008-2009

All persons who are members of the faculty on June 30, 2008 and whose employment as faculty members continues beyond that date and who meet the eligibility criteria set forth in the Faculty Compensation Program ("FCP") in PART TWO below shall, effective July 1, 2008, be eligible to participate in the FCP, which program shall provide for increases to base salary from a pool of funds ("salary pool"), which salary pool shall be in the amount of 3% of the state-funded faculty salary base as of the second payroll in October, 2007, and shall not be less than \$6,871,183. These increases to base salary shall be awarded pursuant to the terms of the FCP as provided for in PART TWO below. University Human Resources will calculate this salary base and inform the AAUP-AFT.

III. Fiscal Year 2009-2010

All persons who are members of the faculty on June 30, 2009 and whose employment as faculty members continues beyond that date and who meet the eligibility criteria set forth in the FCP shall, effective July 1, 2009, be eligible to participate in the FCP, which program shall provide for regular and enhanced salary increases to base salary from a salary pool which shall be in the amount of 5.5% of the state-funded faculty salary base as of the second payroll in October, 2008, and where the enhanced salary portion of this pool shall not be less than \$6,505,772. These increases to base salary shall be awarded pursuant to the terms of the FCP as provided for in PART TWO below. University Human Resources will calculate this salary base and inform the AAUP-AFT.

IV. Fiscal Year 2010-2011

All persons who are members of the faculty on June 30, 2010 and whose employment as faculty members continues beyond that date and who meet the eligibility criteria set forth in the FCP shall, effective July 1, 2010, be eligible to participate in the FCP, which program shall provide for regular and enhanced salary increases to base salary from a salary pool which shall be

in the amount of 5.5% of the state-funded faculty salary base as of the second payroll in October, 2009, and where the enhanced salary portion of this pool shall not be less than \$6,877,918. These increases to base salary shall be awarded pursuant to the terms of the FCP as provided for in PART TWO below. University Human Resources will calculate this salary base and inform the AAUP-AFT.

V. Faculty Promotional Salary Adjustments

A. For promotions effective July 1, 2007

1. The faculty member will receive the salary increase effective July 1, 2007 appropriate to his/her 2006-2007 salary as provided in I.A above.
2. The faculty member will then receive a promotional increase equal to 10% of his/her salary in effect on July 1, 2007.

B. For promotions effective July 1, 2008

1. The faculty member will receive the salary increase, if any, effective July 1, 2008 appropriate to his/her 2007-2008 salary as provided in II above.
2. The faculty member will then receive a promotional increase equal to 10% of his/her salary in effect on July 1, 2008.

C. For promotions effective July 1, 2009

1. The faculty member will receive the salary increase effective July 1, 2009 appropriate to his/her 2008-2009 salary as provided in III above.
2. The faculty member will then receive a promotional increase equal to 10% of his/her salary in effect on July 1, 2009.

D. For promotions effective July 1, 2010

1. The faculty member will receive the salary increase effective July 1, 2010 appropriate to his/her 2009-2010 salary as provided in IV above.
2. The faculty member will then receive a promotional increase equal to 10% of his/her salary in effect on July 1, 2010.

VI. Minimum Salaries

The minimum salaries shall be as follows for the following ranks (and equivalent ranks):

		July 1, 2007	July 1, 2008	July 1, 2009	July 1, 2010
Assistant Instructor	AY	\$32,310	\$32,310	\$33,199	\$34,112
	CY	37,121	37,121	38,142	39,191

Instructor	AY	36,996	36,996	38,013	39,058
	CY	42,589	42,589	43,760	44,963
Assistant Professor	AY	42,471	42,471	43,639	44,839
	CY	49,088	49,088	50,438	51,825
Associate Professor	AY	51,299	51,299	52,710	54,160
	CY	59,310	59,310	60,941	62,617
Professor I	AY	64,826	64,826	66,609	68,441
	CY	74,782	74,782	76,839	78,952
Professor II	AY	89,142	89,142	91,593	94,113
	CY	102,264	102,264	105,076	107,966
Special Professorial Titles		127,116	127,116	130,612	134,204
Assistant Professor Law		72,196	72,196	74,181	76,221
Associate Professor Law		83,351	83,351	85,643	87,998
Professor I Law		96,656	96,656	99,314	102,045
Professor II Law		116,342	116,342	119,541	122,828

PART TWO: FACULTY COMPENSATION PROGRAM (herein “FCP”)

I. Criteria

To the extent of funds available as set forth in PART ONE, Sections II, III and IV (of this Article VIII) for the fiscal years identified therein, regular and enhanced salary increases will be awarded to faculty members, including those who have demonstrated recent and continuing excellence based on one or more of the criteria of teaching, scholarship, and service. In addition, enhanced salary increases may be awarded to faculty members whose current compensation warrants special consideration on the basis of academic or professional contributions in comparison with compensation of colleagues of similar achievement in the department or discipline at large.

II. Eligibility

Faculty members who meet all the requirements listed below shall receive regular salary increases and are eligible for consideration for enhanced salary increases:

1. The faculty member has an appointment at Rutgers at the time of consideration for a salary increase and during the year for which the salary increase is made; and
2. The faculty member has completed at least one year of full-time service at the University at the time of consideration for a salary increase pursuant to the FCP or at least three years of part-time service; and

3. With respect to a faculty member in his or her terminal year at Rutgers during the effective date of the salary increase, a regular increase shall be awarded but the faculty member is not eligible for an enhanced salary increase.

III. Allocation of Funds

Funds available for enhanced salary increases pursuant to the FCP will be allocated to the three geographic areas of the University (Camden, Newark and New Brunswick) based on the proportion of the total faculty in each of the three areas, except that 5% of the total funds available in 2008-2009, 5% of the funds available for enhanced salary increases in 2009-2010, and 5% of the funds available for enhanced salary increases in 2010-2011 shall be allocated to the President's reserve for distribution as specified in VI.9 below.

IV. Size of Salary Increase

A salary increase pursuant to the FCP will be awarded as follows:

2008-2009: There shall be no regular salary increases. The total pool of funds set forth in PART ONE Section II shall be available for enhanced salary increases. The amount of an enhanced salary increase, if any, that may be awarded shall be at least 1% of the faculty member's salary as of June 30, 2008, or \$500, whichever is less. The total salary increase a faculty member may receive is an enhanced salary increase of up to 9%.

2009-2010: The pool of funds as set forth in PART ONE Section III shall be available for regular and enhanced salary increases. All eligible faculty members shall receive a regular salary increase of 2.75%. In addition, eligible faculty members may receive an enhanced salary increase. The amount of an enhanced salary increase, if any, that may be awarded shall be at least 1% of the faculty member's salary as of June 30, 2009, or \$500, whichever is less. The total salary increase a faculty member may receive is the regular salary increase of 2.75% plus an enhanced salary increase of up to 13.75% for a total possible salary increase of 16.5%.

2010-2011: The pool of funds as set forth in PART ONE Section IV shall be available for regular and enhanced salary increases. All eligible faculty members shall receive a regular salary increase of 2.75%. In addition, eligible faculty members may receive an enhanced salary increase. The amount of an enhanced salary increase, if any, that may be awarded shall be at least 1% of the faculty member's salary as of June 30, 2010, or \$500, whichever is less. The total salary increase a faculty member may receive is the regular salary increase of 2.75% plus an enhanced salary increase of up to 13.75% for a total possible salary increase of 16.5%.

V. Announcement of Application of the Criteria

To ensure equitable treatment for their members, departments must formulate a statement of their own specific criteria for an enhanced salary increase and the application of them within the framework of the general criteria set forth in Section I above. The tenured faculty of the department shall formulate and promulgate to the department such a statement prior to the commencement of the process for consideration for award of salary increases specified below.

VI. Consideration for Award of an enhanced salary increase:

1. Consideration for awards of enhanced salary increases shall be conducted in accordance with the following schedule:

- a. for awards effective July 1, 2008, consideration will begin during the fall 2007 academic term;
 - b. for awards effective July 1, 2009, consideration will begin during the fall 2008 academic term;
 - c. for awards effective July 1, 2010, consideration will begin during the fall 2009 academic term.
2. The departmental chairperson shall announce twenty (20) days in advance that the Peer Evaluation Committees will be considering eligible faculty members for enhanced salary increases and that eligible faculty members are invited to submit relevant materials for consideration.
3. Departments with four or more tenured members shall elect a Peer Evaluation Committee of at least three members, composed of tenured members of the department. In departments with fewer than four tenured members, all the tenured members shall constitute the Peer Evaluation Committee. In departments without tenured members, there shall be no Peer Evaluation Committee.

Nominations for the committee may be made by any tenured member of the department. Elections to the committee shall be by secret ballot of all full-time members of the department holding the rank of Assistant Professor or above who are not in their terminal year. The department chairperson shall convene, be a non-voting member of, and participate in the deliberations of the Committee.

4. Deans shall provide guidance to the department chairpersons or to the Peer Evaluation Committees in units with no department chairpersons concerning the funds available (stated in dollars or a meaningful range of dollars), from which the department or the Peer Evaluation Committee may make recommendations for enhanced salary increases pursuant to the FCP.

The Peer Evaluation Committee shall meet to evaluate all members of the department who are not members of the Committee, who are eligible for consideration for an enhanced salary increase pursuant to the FCP. The Committee shall determine, from among those faculty members considered, those who it will recommend for an enhanced salary increase, in accordance with the criteria set forth in PART TWO Section I above. The Committee shall prepare a summary statement of its evaluation for each member of the department it recommends and shall indicate which one or more of those criteria is the basis for its recommendation.

5. Subsequent to completing the evaluation process set forth in 4 above, the Peer Evaluation Committee, at its option, may make recommendations to the department chairperson, within the guidelines set forth in Section IV above, concerning the size of the enhanced salary increase for those individuals whom the

Committee has recommended for receipt of such an increase. If the committee chooses to make such recommendations, the chairperson shall provide to the Committee, in confidence, the salary for each individual recommended by the Committee for an enhanced salary increase.

6. After the deliberations of the Peer Evaluation Committee are complete, the chairperson may either: (a) endorse the Committee's recommendations, incorporating the names of the members of the Committee whom the chairperson judges meet the criteria for an enhanced salary increase; or (b) prepare an independent list of all of those faculty members in the department who, in the judgment of the chairperson, should receive an enhanced salary increase. In addition, the chairperson shall review the salaries of members of the department and shall make recommendations, within the guidelines set forth in Section IV above, as to the size of the enhanced salary increase for individuals on his/her list. For each faculty member the chairperson recommends, he/she shall indicate which one or more of the criteria set forth in PART TWO Section I above is the basis for his/her recommendation. The chairperson will then forward his/her recommendations and those of the Peer Evaluation Committee to the dean with justification and appropriate documentation. The chairperson will also forward with these recommendations the statement of the department, as specified in PART TWO Section V above, although the statement shall not be binding on the dean in his/her deliberations.

7. Upon receipt of the nominees from each of the department chairpersons within the unit, the dean shall formulate a list of nominees from among those proposed by the departments and including such department chairpersons and other faculty members not proposed by the departments who, in the judgment of the dean, are qualified, according to the criteria specified in PART TWO Section I above, for an enhanced salary increase. The dean's list shall include the dean's recommendation as to the size of the enhanced salary increase for each individual on the list. For each faculty member the dean recommends, he/she shall indicate which one or more of the criteria set forth in PART TWO Section I above is the basis for his/her recommendation.

Should the dean wish to include on his/her list an individual who the chairperson has not recommended for an enhanced salary increase or should the dean wish to increase or decrease the size of an enhanced salary increase recommended by the chairperson (or if there is no chairperson, by the Peer Evaluation Committee or its chairperson), and where such increase or decrease exceeds one percent (1%) of that individual's salary, the dean shall first discuss the matter with the chairperson. The dean will forward his/her recommendations to the provost or, in the case of New Brunswick units, to the Executive Vice President for Academic Affairs (EVPAA) with justification and appropriate documentation. At the same time the dean will forward to the provost or EVPAA the recommendations of the Peer Evaluation Committees and department chairs.

8. The provost or EVPAA shall review the recommendations from the several deans, directors, chairpersons, and departmental committees and, from among the eligible faculty members and to the extent of funds allocated to his/her campus, shall make a final determination as to which faculty members on the campus shall receive enhanced salary increases and as to the size of each increase. The provost or

EVPAA shall indicate which one or more of the criteria is the basis for his/her decision to grant the increase.

9. The President will receive from each of the campus provosts and the EVPAA the list of the provost's/EVPAA's actions and a list of remaining faculty members recommended by the dean, the department chair, and/or the departmental Peer Evaluation Committee for an enhanced salary increase, plus a list of those eligible for an enhanced salary increase but not recommended at any level. The President may select from these lists a number of additional individuals to receive enhanced salary increases, who, in the President's judgment, best meet the criteria specified in PART TWO Section I above. Such additional Presidential increases shall be limited to the President's 5% pool as set forth in PART TWO Section III above.
10. In order to assist the deans, provosts and EVPAA in recommending or awarding, as the case may be, enhanced salary increases to department chairs, or to faculty members whose assignments or activities occur outside the confines of the standard departmental or decanal unit or who, in the judgment of the dean, provosts or EVPAA, otherwise warrant enhanced salary increases, deans, provosts and EVPAA may set aside a portion of FCP funds available for enhanced salary increases with which to make recommendations (or, in the case of the provosts and EVPAA, decisions) to award enhanced salary increases so long as the percentage of program funds set aside does not exceed the following:
 - a. in the case of deans: 10% of the unit allocation.
 - b. in case of provosts and EVPAA: 5% of the campus allocation prescribed by Section III.

VII. Implementation

The University will notify individual faculty members who have been recommended for consideration for an enhanced salary increase of the action taken in regard to that recommendation. For each such faculty member, the University will inform the AAUP-AFT of the faculty member's department, campus, academic rank, and salary before and after the enhanced salary increase, if any; the level of the initial recommendation for an enhanced salary increase; the reason for the recommendation, specified in PART TWO Section I above; and whether the faculty member was a member of the department Peer Evaluation Committee and/or a department chairperson.

Subsequent to the conclusion of the award process, the evaluation packets will be returned to the office of the dean. The dean will notify the department chairpersons of the results of the FCP process for their department, that the material is available for review by them, and the dean will indicate his/her availability to discuss the FCP process with the department chairperson. The chairperson shall inform the Peer Evaluation Committee of the substance of such a discussion. Individual members of the faculty may review their own packets in accordance with the usual procedures for review of personnel files and may discuss their packets and review their professional progress with their chairperson and/or dean.

VIII. Grievability

The academic judgment that forms the basis of granting or failure to grant an enhanced salary increase, including the size of the enhanced salary increase, is not grievable. Allegations of a violation of the procedures set forth in this Faculty Compensation Program which results in the failure to grant an enhanced salary increase shall be brought under Article IX, Category 2 of the Agreement between the AAUP-AFT and the University.

IX. Information

1. The University will inform the AAUP-AFT as to the amount of funds allocated to the three geographic areas of the University pursuant to PART TWO Section I above.
2. At the conclusion of the process, the University will inform the AAUP-AFT as to each faculty member nominated at any level of the process; the enhanced salary increase, if any, recommended at each level; and the salary increase, if any, awarded, with identification of recommended faculty members and awardees, as the case may be, from amounts set aside as described in Section VI 10.

PART THREE: TEACHING AND GRADUATE ASSISTANTS – SALARY PROVISIONS

I. Fiscal Year 2007-2008

A. For all persons who held appointments as teaching or graduate assistants during the 2006-2007 fiscal year and who received appointments as teaching or graduate assistants during the 2007-2008 fiscal year, there shall be an 8% across-the-board increase in salary effective July 1, 2007.

B. Effective July 1, 2007, the starting salary for full-time teaching and graduate assistants shall be \$19,815 for an academic-year appointment and \$22,589 for a calendar-year appointment.

C. There shall be a competitiveness pool of \$798,600. An award to a TA/GA from the competitiveness pool shall be treated as a permanent part of her/his salary and the salary for any subsequent reappointment shall be based on that salary.¹

II. Fiscal Year 2008-2009

A. For all persons who held appointments as teaching or graduate assistants during the 2007-2008 fiscal year and who received appointments as teaching or graduate assistants during the 2008-2009 fiscal year, there shall be an 8% across-the-board increase in salary effective July 1, 2008.

B. Effective July 1, 2008, the starting salary for full-time teaching and graduate assistants shall be increased 8% to \$21,400 for an academic-year appointment and \$24,396 for a calendar-year appointment.

¹ Nothing herein precludes teaching/graduate assistants supported by grants from receiving grant-funded competitiveness supplements.

C. In addition, the total salary base for Teaching and Graduate Assistants in 2008-2009 will include a \$798,600 competitiveness pool. An award to a TA/GA from the competitiveness pool shall be treated as a permanent part of her/his salary and the salary for any subsequent reappointment shall be based on that salary.²

III. Fiscal Year 2009-2010

- A. For all persons who held appointments as teaching or graduate assistants during the 2008-2009 fiscal year and who received appointments as teaching or graduate assistants during the 2009-2010 fiscal year, there shall be an 8% across-the-board increase in salary effective July 1, 2009.
- B. Effective July 1, 2009, the starting salary for full-time teaching and graduate assistants also shall be increased 8% to \$23,112 for an academic-year appointment and \$26,348 for a calendar-year appointment.
- C. In addition, the total salary base for Teaching and Graduate Assistants in 2009-2010 will include a competitiveness pool of \$798,600. An award to a TA/GA from the competitiveness pool shall be treated as a permanent part of her/his salary and the salary for any subsequent reappointment shall be based on that salary.³

IV. Fiscal Year 2010-2011

- A. For all persons who held appointments as teaching or graduate assistants during the 2009-2010 fiscal year and who received appointments as teaching or graduate assistants during the 2010-2011 fiscal year, there shall be an 8% across-the-board increase in salary effective July 1, 2010.
- B. Effective July 1, 2010, the starting salary for full-time teaching and graduate assistants also shall be increased 8% to \$24,961 for an academic-year appointment and \$28,455 for a calendar-year appointment.
- C. In addition, the total salary base for Teaching and Graduate Assistants in 2010-2011 will include a competitiveness pool of \$798,600. An award to a TA/GA from the competitiveness pool shall be treated as a permanent part of her/his salary and the salary for any subsequent reappointment shall be based on that salary.⁴

V.

In addition, all Teaching and Graduate Assistants who hold less than a full-time appointment in 2007-2008, 2008-2009, 2009-2010 and 2010-2011 may enroll at no cost to them in the Rutgers University Graduate Fellows Student Health Insurance Plan pursuant to procedures established by the University for this purpose. This shall occur as soon as possible after the effective date of this Agreement.

² See footnote 1.

³ See footnote 1.

⁴ See footnote 1.

PART FOUR: HEALTH INSURANCE BENEFITS

I. The parties acknowledge that pursuant to N.J.S.A. 52: 14-17.25 et seq., employees of the University are deemed to be employees of the State for purposes of health benefits, and that health benefits are provided to eligible employees as set forth therein. The parties agree that with respect to those items that are required by law to be determined pursuant to a binding collective negotiations agreement, the health benefits provisions applicable to AFT employees at the state colleges and universities shall apply to members of the AAUP-AFT bargaining unit.

If this provision is declared illegal or unenforceable by a court or agency of competent jurisdiction, the health benefits provisions agreed to by the parties shall be those set forth in the AFT state college and university 2007-2011 collective negotiations agreement.