

Executive Board

(Systemwide Senate Review) Proposed New APM - 672, Negotiated Salary Program

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December 8, 2023

James Steintrager
Chair, UC Academic Senate

Re: (Systemwide Senate Review) Proposed New APM - 672, Negotiated Salary Program

Dear Chair Steintrager,

The divisional Executive Board (EB) appreciated the opportunity to review the proposed new APM - 672, Negotiated Salary Program.

EB reviewed the proposal and divisional committee and council responses at its meeting on December 7, 2023. A majority of members voted for a motion to decline to endorse the proposal and to express serious reservations to turn this pilot into a permanent program. Further, the motion requested greater evidence of the pilot's impact, and expressed concern about the use of self-supporting graduate and professional degree program (SSGPDP) monies, the false analogy between health sciences compensation (HSCOMP) and this pilot program, and the danger that any trial program may lead to a permanent one.

Rationale for the Program

Members noted that the proposal did not address the rationale for continuation. It appeared that the main argument is that people who benefit from it, like it. Members observed that there have been repeated calls for data about whether the pilot program has been effective. They cautioned that the program should not be used as a tool for the university to avoid contributing its expected share to faculty salaries.

Inclusion of SSGPDPs

Members expressed concern about the inclusion of SSGPDPs as a legitimate funding source for this program as well as the general notion that individuals could use their time spent with a SSGPDP to justify a salary boost. They emphasized the concern of using state resources for a salary increase in the context of SSGPDP monies.

Equity Concerns

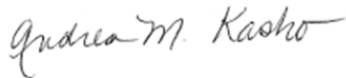
Some members expressed concern about salary equity related to this program not only within the division but also across the university system where implementation has been uneven. Several members noted that it is a false analogy to equate this proposed program with HSCOMP, the latter of which has to be done that way because of the division in function between the faculty and clinician roles. A few members noted that the pilot offers a useful mechanism to help the university remain competitive as well as to potentially provide equity between those faculty who are eligible for the HSCOMP and those who are not.

Trial Programs

Members noted that the divisional Senate was opposed to the initial proposal and subsequent pilot. They expressed concern that this pilot program served as a back door for Administration to implement a program over the objections of the Academic Senate. Members cautioned about the potential for “bait and switch” of having a trial or pilot program in the future.

Lastly, members noted that the current program has extensive paperwork requirements. They observed that there is a lot of administrative effort on both the divisional and systemwide level for a relatively small number of well-compensated faculty. They questioned whether it was a good use of university resources. A member noted that it would be better to raise the base salary scales.

Sincerely,

A handwritten signature in cursive script that reads "Andrea M. Kasko".

Andrea Kasko
Chair
UCLA Academic Senate

Encl.

Cc: Kathleen Bawn, Vice Chair/Chair Elect, UCLA Academic Senate
Jessica Cattelino, Immediate Past Chair, UCLA Academic Senate
April de Stefano, Executive Director, UCLA Academic Senate

November 30, 2023

To: Andrea Kasko, Chair
Academic Senate

Re: **(Systemwide Senate Review) Proposed New APM 672, Negotiated Salary Program**

Dear Chair Kasko,

At its meeting on November 7, 2023, The Faculty Welfare Committee (FWC) discussed the Systemwide Senate Review of the Proposed New APM 672, Negotiated Salary Program. Members offered the following comments.

FWC members believed the original negotiated salary program was to be on a trial basis and questioned the reasons for establishing a new negotiated salary program. Members recognized that some faculty may benefit from the program because it allows for the negotiation and leveraging of their salaries beyond the departmental components. However, there was concern about first, a transfer of power from the faculty to administrators, resulting in more control at the Dean's level. Second, members also highlighted concerns over equity issues, noting that not all faculty or departments have the funding for these negotiations, rather such extra funds are focused in specific departments, particularly those in the health sciences.

Members would like to see data on whether the original program has changed salaries across schools and departments during the period of its implementation.

In summary, FWC has concerns about with the proposed new negotiated salary program because of its potential to create inequities and promote the use of soft money during a salary review. Thank you for the opportunity to opine. If you have questions, please do not hesitate to contact me at butlersj@ucla.edu or via the Committee analyst, Renee Rouzan-Kay, at rrouzankay@senate.ucla.edu.

Sincerely,



Samantha Butler, Chair
Faculty Welfare Committee

cc: Kathleen Bawn, Vice Chair/ Chair-Elect, Academic Senate
Jessica Cattelino, Immediate Past Chair, Academic Senate
April de Stefano, Executive Director, Academic Senate
Renee Rouzan-Kay, Senior Policy Analyst, Faculty Welfare Committee
Members of the Faculty Welfare Committee

To: Andrea Kasko, Chair, Academic Senate

From: Christopher Colwell, Chair, Council on Academic Personnel

Date: November 29, 2023

Re: **(Systemwide Senate Review) Proposed New APM-672, Negotiated Salary Program**

The Council on Academic Personnel (CAP) had an opportunity to review the proposed new APM-672 on the Negotiated Salary Program (NSP). We recognize the likely importance of this program in providing a mechanism to offer competitive salaries necessary for recruitment and retention. As previously expressed during its review of the Negotiated Salary Trial Program, members continued to express concerns that NSP is likely to exacerbate disparities in compensation, such as with respect to gender. Members recommended the Academic Affairs and Personnel Office to provide close and frequent monitoring and reporting to identify disparities resulting from this policy; to implement mitigating efforts until parity is achieved; and to ensure strong communication to all eligible faculty, especially to groups who are historically more reluctant to request salary augmentations. Some members expressed concerns how NSP will impact personnel reviews (if faculty see NSP as more valuable than on-time step increases); how NSP will impact research decisions (if faculty will seek NSP-eligible funding sources over NSP-ineligible sources); and the lack of evidence that the trial program had positive effects on recruitment and retention.

CAP looks forward to the opportunity to review and comment on any Campus Implementation Plan and proposed exceptions to the Campus Implementation Plan.

Thank you for the opportunity to review and comment. If you have any questions, please do not hesitate to contact me at CColwell@mednet.ucla.edu or via the Council's analyst, Lori Ishimaru, at lishimaru@senate.ucla.edu.

cc: Kathleen Bawn, Vice Chair/Chair-Elect, Academic Senate
Jessica Cattelino, Immediate Past Chair, Academic Senate
April de Stefano, Executive Director, Academic Senate
Lori Ishimaru, Senior Policy Analyst, Academic Senate
Members of the Council on Academic Personnel

To: Andrea Kasko, Chair, Academic Senate

From: Shane White, Chair, Committee on Rules and Jurisdiction

Date: October 13, 2023

Re: **(Systemwide Senate Review) Proposed New APM-672, Negotiated Salary Program**

At its meeting on October 11, 2023, the Committee on Rules and Jurisdiction (CR&J) discussed the systemwide Senate review of the proposed new APM-672 (Negotiated Salary Program).

Members remind reviewers of the caveats about the role of the program in the UC salary structure, as stated in the June 22, 2017 Negotiated Salary Trial Program (NSTP) Fourth Year Taskforce Report:¹

- “The program does not supplant the regular merit review process. Faculty performance will continue to be assessed on the quality of scholarly contributions, teaching, and service, rather than on external funding.
- The program is not a tool to address the UC-wide responsibility to eliminate the lag in UC faculty salaries compared to those of its peer institutions.”

Thank you for the opportunity to review and comment. If you have any questions, please do not hesitate to contact me at snwhite@dentistry.ucla.edu or via the Committee’s analyst, Lori Ishimaru, at lishimaru@senate.ucla.edu.

cc: Kathleen Bawn, Vice Chair/Chair-Elect, Academic Senate
Jessica Cattelino, Immediate Past Chair, Academic Senate
April de Stefano, Executive Director, Academic Senate
Lori Ishimaru, Senior Policy Analyst, Academic Senate
Members of the Committee on Rules and Jurisdiction

¹ <https://senate.universityofcalifornia.edu/files/underreview/NSTP-fourth-year-TF-Report.pdf>



OFFICE OF THE VICE PROVOST --
ACADEMIC PERSONNEL AND PROGRAMS

OFFICE OF THE PRESIDENT
1111 Franklin Street, 10th Floor
Oakland, California 94607-5200

September 15, 2023

CHANCELLORS
ACADEMIC COUNCIL CHAIR JAMES STEINTRAGER
LABORATORY DIRECTOR MICHAEL WITHERELL
ANR VICE PRESIDENT GLENDA HUMISTON

**RE: Systemwide Review of Proposed Academic Personnel Manual (APM) Section 672,
Negotiated Salary Program**

Dear Colleagues:

Enclosed for systemwide review is a proposed draft of Academic Personnel Manual (APM) Section 672, Negotiated Salary Program (APM - 672). The new policy is proposed in response to a recommendation from the Negotiated Salary Trial Program (NSTP) Phase 2 Taskforce, with the support of Provost and Executive Vice President Katherine S. Newman, to institutionalize the program in policy.

Background

Discussions of a possible negotiated salary program for general campus faculty have occurred at the University of California for more than 20 years, at both the campus and systemwide levels. These discussions culminated in the Negotiated Salary Trial Program (NSTP), which was approved by the Academic Council and the Council of Vice Chancellors for implementation in an initial phase from July 1, 2013, through June 30, 2018. Three campuses, including UC Irvine, UC Los Angeles, and UC San Diego, participated in phase one of the NSTP. In year four of phase one, a joint Senate-Administration Taskforce that was convened to review the program issued its report to then-UC Provost/Executive Vice President (EVP) Aimee Dorr on June 22, 2017, recommending continuation of the program under certain conditions. In January 2018, based on input from the systemwide review, then-UC Provost/EVP Michael T. Brown approved an expansion and continuation of the NSTP in a second phase, to begin on July 1, 2018, and run through June 20, 2022, with a possible one-year extension to facilitate determination at that time whether to establish the program as APM policy, terminate it, or alter it. In addition to the three phase-one campuses, three new campuses (UC Davis, UC Riverside, and UC Santa Cruz) joined the program during phase two.

On September 17, 2021, then-Provost/EVP Brown approved a one-year extension of the NSTP, for an additional fifth year for phase two for fiscal year 2022–23. Additionally, he requested that the six participating campuses provide a plan for possible rescindment should the program end. On October 12, 2021, then-Provost/EVP Brown appointed the NSTP Phase 2 Taskforce to review the program and make a recommendation on whether to institutionalize the program in policy or to end it. The

Phase 2 Taskforce “concluded that ending the negotiated salary program would be so disruptive that we cannot recommend such a course of action. Rather, accepting that it needs to continue, we have addressed how it can be improved and expanded.” They offered broad recommendations for a permanent negotiated salary plan.

On April 15, 2022, then-Provost/EVP Brown distributed for a 90-day Systemwide Review the Report from the Negotiated Salary Trial Program Phase 2 Taskforce, seeking input and advice on the Taskforce recommendations, as summarized in the executive summary, and supported by the report text and appendices. As it became evident that the University of California Office of the President would not be able to welcome Provost/EVP Brown’s successor until later in 2022-23, Phase 2 of the NSTP was extended for another additional year, into fiscal year 2023-24. The NSTP continued to be based on the “Program Document” first issued on June 15, 2012, and updated on February 18, 2018, and including subsequent modifications and clarifications.

On September 12, 2022, in appreciation of the need to accord the new Provost and Executive Vice President for Academic Affairs sufficient time to review the large volume of systemwide comments that were submitted, then-Provost/EVP Brown extended Phase 2 of the NSTP for another additional year, into fiscal year 2024-25. In February 2023, Provost and Executive Vice President Newman reviewed the feedback received during Systemwide Review of the Report of the Negotiated Salary Trial Program Phase 2 Taskforce and determined that the NSTP should be institutionalized in policy.

Academic Personnel and Programs (APP) convened a workgroup to provide guidance in response to the report of the NSTP Phase 2 Taskforce and to draft policy language in the event the NSTP was approved to transition to a permanent salary program in the APM. The Working Group met on multiple occasions between Fall 2022 and Spring 2023 and recommended the NSTP transition to a permanent salary program. APP drafted the proposed APM - 672 - Negotiated Salary Program based on input from Working Group members and taking into consideration the current NSTP, similar sections of the APM, and the Report from the NSTP Phase 2 Taskforce.

From late May 2023 to late July 2023, APP distributed the draft policy for management consultation. Comments submitted to APP reflected general approval of the proposed policy, with recommended revisions to several provisions. Following analysis of and review of the comments, we are circulating a revised draft of APM - 672 for systemwide review.

Key Policy Provisions

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

The proposed policy includes the following key 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 establishes minimum requirements for collection of data on which locations must be prepared to report, if requested to do so.

Systemwide review is a public review distributed to the Chancellors, the Chair of the Academic Council, the Director of the Lawrence Berkeley National Laboratory, and the Vice President of Agriculture and Natural Resources requesting that they inform the general University community, especially affected employees, about policy proposals. Systemwide review also includes a mandatory, 90-day full Academic Senate review.

Employees should be afforded the opportunity to review and comment on the draft policy, available on the [Academic Personnel and Programs website](#). Attached is a Model Communication that may be used to inform non-exclusively represented employees about these proposals. The Labor Relations Office at the Office of the President is responsible for informing the bargaining units representing union membership about policy proposals.

We would appreciate receiving your comments no later than **December 15, 2023**. Please submit your comments to VP-ACADEMICPERSONNEL@ucop.edu. Please indicate "APM - 672" in the subject line. If you have any questions, please contact Rebecca Woolston, Associate Director, Academic Policy and Policy Exceptions, at rebecca.woolston@ucop.edu.

Sincerely,



Douglas M. Haynes
Vice Provost
Academic Personnel and Programs

Enclosures:

- 1) Proposed Draft APM - 672, Negotiated Salary Program
- 2) Proposed Draft APM - 672, Negotiated Salary Program, Appendix A
- 3) Model Communication

cc: President Drake
Provost and Executive Vice President Newman
Executive Vice Chancellors/Provosts
Executive Vice President and Chief Operating Officer Nava
Interim Executive Vice President King
Senior Vice President and Chief Compliance & Audit Officer Bustamante
Vice President Lloyd
Vice President Maldonado
Vice Provosts/Vice Chancellors for Academic Affairs/Personnel
Vice Chair Cheung
Assistant Vice Provosts/Vice Chancellors/Directors - Academic Personnel
Associate Vice Provost Lee
Associate Vice President Matella
Associate Vice President Cevallos
Deputy General Counsel Woodall
Executive Director Lin
Executive Director Motton
Chief of Staff Beechem
Chief of Staff Kao
Deputy CHRO and Chief of Staff Henderson
Chief of Staff Levintov
Chief Policy Advisor McAuliffe
Director Anders
Director Chin

September 15, 2023

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Director Teaford
Director Weston-Dawkes
Associate Director Garcia
Associate Director DiCaprio
Associate Director Jue
Associate Director Woolston
Manager Crosson
Manager Garza
Assistant Director LaBriola
Policy Analyst Wilson
Policy Analyst Durrin
Administrative Officer Babbitt

DRAFT – Salary Administration: APM - 672 – Negotiated Salary Program

672-0 Policy

The Negotiated Salary Program (NSP) provides a policy framework within which an Implementation Plan will be developed by each campus that elects to adopt an NSP. The Implementation Plan must be consistent with this policy and reviewed by the appropriate division Academic Senate Committee, approved by the Chancellor, and reviewed by the Provost/Executive Vice President prior to implementation.

In developing the Implementation Plan, the participating campus, after discussion and comment by the appropriate Academic Senate committee(s), may include provisions that are more, but not less, restrictive than those outlined herein.

672-2 Purpose

The purpose of the Negotiated Salary Program is to provide a mechanism for campuses to augment faculty compensation on a temporary basis according to the competitive requirements of academic disciplines. Undergraduate, graduate, and postdoctoral education and support remain an essential part of the UC mission. The NSP will not reduce faculty teaching loads, mentoring duties, or the University's commitment to the UC mission. Specific goals of the NSP include:

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

672-4 Definitions

a. Contingency Plan

The Campus Implementation Plan shall require the establishment of a Contingency Plan. The purpose of the Contingency Plan is to provide the funds necessary for the agreed-upon compensation to each NSP participant in the event that the current year income is unexpectedly insufficient to do so. If the funds that support the Contingency Plan are insufficient, the Chancellor may seek support from another non-State account(s) within the department, school, or campus. If such support is not forthcoming, then the campus will reduce the participant's Negotiated Salary Component in accordance with any fund source restrictions across the school, department, or division, as determined by the Chancellor.

Although funds may be transferred from one account to another in accordance with University accounting and budgeting policies and procedures, accounts on each campus shall be maintained as financially independent for administrative purposes.

b. Base Salary

Base Salary is the on-scale or above-scale salary established by rank and step on an academic-year or fiscal-year salary scale and, if applicable, the existing off-scale increment. The Base Salary is covered under the University of California Retirement Program (UCRP) up to the amount permissible by Internal Revenue Code (IRC) provisions and in accordance with UCRP provisions and regulations.¹

c. External Funding

External funds derived from sources that are not state appropriations or University of California General Funds, such as (but not limited to) endowment or gift income, professional degree fees, self-supporting degree fees, contracts and grant support, royalties, and licensing fees. The Campus Implementation Plan will detail which external funding sources can be used in support of this program. The external funds should represent additional fund sources for the University, to which the faculty member has access due to their research, teaching, or outreach activities. The funds may not be drawn from tuition paid by students in state-supported projects or discretionary funds associated with the department, school, college, or campus and that are fungible for other purposes, because these funds are not generated by the faculty member and should not be repurposed to support negotiated salary.

d. Negotiated Salary Component

The Negotiated Salary Component cannot exceed 30% of the Base Salary defined in APM - 672-4-b that was in effect on July 1 of the proposed participation year. Negotiations will be conducted annually to determine a faculty member's Total UC Salary Rate for the following NSP period; these discussions begin with the participating faculty member and the Department Chair and recommendations are forwarded to other reviewers as outlined in APM - 672-6.

The Negotiated Salary Component is not part of the Base Salary and is not covered compensation under UCRP. All compensation paid by the University under the NSP 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.

¹Base salary is distinct from Total UC Salary Rate and Institutional Base Salary (see APM - 672-4-e, footnote 2).

e. **Total UC Salary Rate**

The Total UC Salary Rate includes the on-scale or above-scale Base Salary (for rank and step, plus any off-scale component) and a Negotiated Salary Component.

Review of the Total UC Salary Rate is determined according to campus policy and practice and may include review by the appropriate Academic Senate Committee (Committee on Academic Personnel or equivalent committee), in accordance with the campus Implementation Plan.²

672-6 Responsibility

a. **Role of the Provost/Executive Vice President**

The Provost/Executive Vice President shall review Implementation Plans for those campuses electing participation in the NSP, as well as proposed exceptions to campus Implementation Plans other than summer salary requirements.

b. **Role of the Chancellor**

The Chancellor shall have operational authority over the development and – subsequent to review and approval by the Provost/Executive Vice President – implementation and monitoring of the campus Implementation Plans, including establishing a campus maximum percent of Base Salary, as defined in APM - 672-4-b, for the Negotiated Salary Component and the Contingency Plan.

The Chancellor shall be responsible for establishing campus data collection and reporting to monitor the effectiveness and equity of the campus Implementation Plan.

²Relevance for Federal Awards Subject to the Federal Uniform Guidance Terms and Conditions: The Total UC Salary Rate constitutes the “Institutional Base Salary (IBS),” used in determining the amount of faculty salary costs that can be charged to federal awards for work performed under those awards (see Uniform Guidance at 2 CFR §§ 200.0 & 200.430(h)(2)). Under the Uniform Guidance, Institutional Base Salary is defined as the annual compensation paid by the University for the individual's appointment regardless of whether that individual's time is spent on research, instruction, administration, or other activities. This definition is consistent with the calculation of the Total UC Salary Rate. Another factor supporting the treatment of the Total UC Salary Rate as equivalent to the Institutional Base Salary is the fact that Total UC Salary Rate is determined in advance, and once a Total UC Salary Rate has been implemented for the fiscal year, it must be maintained for that period regardless of the receipt or loss of federal awards or other fund sources.

The Chancellor shall be responsible for assuring that affected NSP participants and the appropriate division Academic Senate committee(s) shall be afforded the opportunity to review and comment on the proposed Implementing Procedures.

This authority may be redelegated.

c. Role of the Academic Senate

The Provost/Executive Vice President shall consult with the appropriate Academic Senate committee(s) concerning proposed revisions of this policy.

The appropriate division of the Academic Senate and other committee(s) shall be provided the opportunity to review and comment on any campus Implementation Plan and proposed exceptions to the campus Implementation Plan which the Chancellor intends to submit to the Provost/Executive Vice President for review.

d. Role of the Campus Executive Vice Chancellor/Provost

Executive Vice Chancellors/Provosts or their designees are responsible for making the final decision regarding faculty proposals to participate in the NSP.

This authority may be redelegated.

e. Role of the Vice Provost/Vice Chancellor for Academic Personnel

Vice Provosts/Vice Chancellors who oversee academic personnel are responsible for developing the campus-level Implementation Plan in consultation with other administrators, the campus-level Academic Senate, and the Office of the President (Academic Personnel and Programs).

f. Role of the Dean

Deans are responsible for establishing the deadline for submission of proposals within the School, College, or Division. Deans are also responsible for reviewing proposals forwarded by Department Chairs, endorsing individual proposals, and for ensuring that appropriate resources are available to support the Total UC Salary Rate. The Dean is responsible for assessing whether a faculty member is in Good Standing based on input from the Department Chair and the faculty member. Any faculty member who is determined not to be in Good Standing must be provided with written information regarding how to return to Good Standing.

g. Role of the Department Chair

Department Chairs are responsible for evaluating faculty proposals and for verifying that:

- faculty members are in Good Standing;
- appropriate and sufficient fund sources exist to support the proposal;

- Contingency Plan requirements are met.

Department Chairs are also responsible for reviewing and endorsing individual proposals and for forwarding endorsed proposals to the Dean. 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.

h. Role of the Faculty Member

Faculty members are responsible for remaining in Good Standing and for generating suitable non-state-appropriated funding to augment their salaries on a temporary basis above their Base Salary as defined in APM - 672-4-b. To participate, faculty members are required to submit a proposal to the Department Chair.

672-10 Standards/Criteria/Qualifications

a. Good Standing Criteria

Written Good Standing Criteria shall be established at the campus level and shall be included in the Campus Implementation Plan. Good Standing Criteria must include: 1) a definition of Good Standing; 2) a description of the administrative review process that occurs when a faculty member is determined to be out of Good Standing; 3) consequences for not being in Good Standing; and 4) the process by which a faculty member may return to Good Standing.

Good Standing criteria will include but are not limited to:

1. the faculty member is meeting expectations with regard to carrying out faculty duties as commonly understood;
2. the faculty member has advanced in rank or step in their last academic personnel review (or has undergone an equivalent satisfactory review);
3. the faculty member is up to date on their mandatory training requirements;
4. the faculty member is in compliance with all applicable University policies;
5. the faculty member is not the subject of/respondent in a current or ongoing investigation of possible violation of [APM - 015](#);
6. there has been no substantiated finding of misconduct as defined by Section 015 of the Academic Personnel Manual ([APM - 015](#)) or proposed/imposed discipline in the period since the faculty member was last determined to be in Good Standing;
7. the faculty member is not currently under a disciplinary sanction imposed by a formal disciplinary process or an informal agreement with the University of California in lieu of formal disciplinary action. A disciplinary action, as permitted by [APM - 016](#), is cause for

cancelling current and/or denying future participation in the NSP. As a measure agreed to via an Early Resolution in lieu of formal discipline (as defined in and encouraged by [Senate Bylaw 336](#)), a faculty member can agree that they are ineligible to participate in the NSP for a defined period of time.

b. Implementation Plan

An Implementation Plan must be developed and approved for each campus that elects to adopt the NSP. The Implementation Plan must be in accordance with all UC policies and regulations, including any new provision of this policy governing NSPs. An Implementation Plan may include differences between individual schools.

The UC Office of the President should communicate to the campuses in a timely manner any changes in UC policies and regulations that might require the campuses to modify their NSP Implementation Plan.

Implementation Plans will be evaluated by the Office of the President to ensure their compliance with applicable UC policy and regulations, granting agency restrictions, and applicable federal and state law.

An Implementation Plan will provide details regarding the following:

1. Permitted funding sources.
2. Limit on the maximum percent of Base Salary, as defined in APM - 672-4-b, for the Negotiated Salary Component.
3. Good Standing criteria and process of appeal/reconsideration of a determination that a faculty member is not in Good Standing.
4. Process for consulting with the faculty regarding the development of Good Standing criteria.
5. Criteria by which proposals will be assessed.
6. Process and timing for soliciting, receiving, and reviewing faculty proposals, including requests not to take the maximum summer salary and for implementing the Negotiated Salary Component if the July 1 salary depends on the outcome of an academic personnel action that is not known as of July 1. Proposals must include evidence or promise of contributions to diversity, equity, inclusion, and equal opportunity, if such evidence is available.
7. Method for predicting and maintaining the stability of the program, as well as strategies for broadening program participation. These methods should include strategies for senior program participants to mentor junior faculty to explore funding opportunities, so that they are positioned to participate in the program in the future if they wish to do so.

8. Management of the Contingency Plan that supports the NSP and how shortfalls in funding will be handled in a manner that does not impact State funds.
9. Approval hierarchy.
10. Notification and documentation process.
11. Restrictions articulating what constitutes misuse of funds.
12. Consequences for noncompliance with the Implementation Plan.
13. What data will be collected beyond that required in Appendix A, and who will be responsible for its collection.
14. Metrics and process for assessing the impact of the NSP on the campus in the areas of faculty recruitment and retention, as well as research, teaching, and service.

c. Determination of the Total UC Salary Rate

The Total UC Salary Rate for each faculty member, as defined in APM - 672-4-e, will be recommended by the appropriate Dean after consultation with the Department Chair and before or after consultation with the appropriate Academic Senate Committee (on campuses where the campus Academic Senate has input into salary recommendations).

The funding must be derived from a stable source, paid in accordance with any related fund source restrictions, and sufficient to include the related benefits costs. The funding source(s) must either be secured according to the Implementation Plan or committed by June 30 of the year prior to implementation of the Total UC Salary Rate.

d. Maintenance of the Total UC Salary Rate

The Total UC Salary Rate is effective for a one-year period corresponding with the University fiscal cycle of July 1 – June 30. Once a Total UC Salary Rate has been implemented it must be maintained for that period. An academic appointee may receive an increase in their Base Salary, as defined in APM - 672-4-b, as a result of a general scale increase, a merit increase, a promotion increase, or an off-scale increase; however, no changes to the Total UC Salary Rate may be approved. A Negotiated Salary Component cannot be put in place retroactively. Even when State funds are released and effort is supported by external funds, in no case will a faculty member's Base Salary be permanently reduced as a result of participation in this Program. Early withdrawal from the Program is allowed only upon separation or retirement from the University; as a result of a determination that a participant has fallen out of Good Standing; as a result of an official disciplinary action as described in [APM - 015](#), [APM - 016](#), and [Senate Bylaw 230](#); due to an increase in Base Salary that subsumes the Negotiated Salary Component; or upon appointment to an ineligible administrative appointment.

e. Regular Duties

Participation in this program may not disrupt the required balance in duties or otherwise negatively impact a faculty member's regular research, teaching, or service obligations.

672-14 Eligibility

UC Senate faculty members in units that have been approved for participation in the NSP shall be eligible to participate in the NSP if they are not members of another compensation plan (e.g., Health Sciences Compensation Plan) and they hold a University appointment at or greater than 50 percent time that is constituted by one or more of the following title series:

- Professor
- Professor In Residence
- Professor of Clinical __ (e.g., Optometry)
- Lecturer with Security of Employment
- Acting appointees in one of the above eligible faculty 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.

Academic Senate members who hold a concurrent job title may participate in NSP in both titles even if the concurrent job title is not a Senate title (e.g., Professor/Agronomist).

Participation in NSP is not granted as a matter of individual right. Faculty participants in the NSP must be in Good Standing, make significant contributions to the mission of the University, meet all other conditions of the campus plan, and be approved for participation.

To be eligible for NSP, candidates who hold academic-year Senate appointments must take the maximum amount of summer salary (summer ninths) available to them. Summer salary from all sources may not exceed 3 ninths for academic-year appointees (see [APM - 600](#)). Campus Implementation Plans may include provisions that allow a participant to take fewer than 3 ninths if the participant teaches in Summer Session (which counts toward a participant's total summer salary) or if they opt to take personal time during their off-duty period in the summer. Each ninth taken by a participant must be taken at the rate of the Total UC Salary Rate, subject to fund-source limits. Campus Implementation Plans shall address the process by which a participant may request an exception to the summer ninths requirement for a purpose other than teaching in Summer Session or taking personal time off during the off-duty period in the summer.

Individuals in the Senior Management Group (SMG), those who are full-time Deans (as defined by [APM - 240](#)), or those who are full-time faculty administrators (as defined by [APM - 246](#)) are not eligible to participate in the NSP.

Faculty who hold part-time faculty administrative appointments may participate in the NSP on a pro-rated basis that corresponds with the percentage of appointment in an eligible faculty title as long as participation would not disrupt the individual's fulfilling of their duties.

672-16 Limitations

External consulting and other externally compensated activities are permitted in accordance with [APM - 025](#), Conflict of Commitment and Outside Activities of Faculty Members.

The Chancellor must establish a campus or school maximum percent of Base Salary, as defined in APM - 672-4-b, for the Negotiated Salary Component and any requirements to establish the Contingency Plan. The Negotiated Salary Component may not exceed 30% of a faculty member's Base Salary as defined in APM - 672-4-b.

If a faculty member transfers from one UC campus to another, the faculty member must renegotiate their salary according to the Implementation Plan at the new campus.

To minimize risk to the University, the fund source(s) that will be used to pay the Negotiated Salary Component must (a) be secured according to the Implementation Plan at the time of the negotiation and (b) must be in a form that would permit the Negotiated Salary Component to be paid evenly over the year. Funds must either be expendable across the year or have provisions that would permit smoothing.

672-20 Paid Leave

NSP participants are eligible for leaves as defined in APM Section V – Benefits and Privileges.

NSP participants who are eligible for sabbatical leave or other paid leave will be granted such leave paid at the Total UC Salary Rate defined in APM - 672-4-b. In the event of a funding shortfall, the campus will resolve the funding shortfall through implementation of the Contingency Plan.

A NSP participant who leaves University service or transfers from a vacation-accruing title to a non-accruing title shall be paid for accrued vacation at the NSP participant's Total UC Salary Rate at the time of separation.

672-24 Authority

The Chancellor has authority to determine whether the campus will participate in the Negotiated Salary Program after consultation with the campus Academic Senate and Executive Vice Chancellor/Provost. The Chancellor's authority may be redelegated.

The Chancellor has authority to approve exception requests not to take the maximum summer salary. The Chancellor's authority may be redelegated.

The Chancellor shall submit the NSP Implementation Plan to the Provost/Executive Vice President for approval. Such authority may not be redelegated.

The Chancellor shall submit revisions to the NSP Implementation Plan to the Provost/Executive Vice President for approval. Such authority may not be redelegated.

672-80 Annual Notification

Once per fiscal year, each NSP participant shall be provided a written notification of their Total UC Salary Rate. This notification shall include:

- a. The amount of Base Salary; and
- b. The amount of the Negotiated Salary Component.

DRAFT – Salary Administration: APM - 672 – Appendix A – Negotiated Salary Program Participant Data Collection

Minimum Negotiated Salary Program (NSP) Participant Data Collection Requirements

The Chancellor shall be responsible for establishing campus data collection and reporting to monitor the effectiveness and equity of the campus Implementation Plan. The Implementation Plan shall specify what data will be collected and who will be responsible for its collection. At a minimum, the following data shall be available upon request and should be collected on an annual basis:

- a. Person
 1. Campus
 2. Fiscal Year
 3. Employee ID
 4. Name
 5. New or Continuing Participant
 6. Early withdrawal from the program?
 - a. If yes, reason: Negotiated Salary Component subsumed by increase in Base Salary, Separation, Retirement, Loss of Good Standing, or Disciplinary Action.
 7. School/College/Division
 8. Department
 9. Title/Job Description from UCPath
 10. Rank
 11. Step
 12. Above or Off Scale
- b. Total UC Salary Rate
 1. Base Salary (as defined in APM - 672-4-b)
 2. Administrative Stipend
 3. Negotiated Salary Component Amount

4. Negotiated Salary Component %
 5. Total UC Salary Rate (Base + Negotiated)
- c. Summer Ninths
1. Summer Ninths Rate
 2. Total Summer Ninths Taken
 3. If less than three summer ninths, reason for exception
- d. Negotiated Salary Component Funding (Amounts & Fund Categories)
- e. Negotiated Salary Component Contingency Funding, if applicable (Amounts & Fund Categories)

June 21, 2022

Robert Horwitz
Chair, UC Academic Senate

Re: (Systemwide Senate Review) Report of the Negotiated Salary Trial Program Phase 2 Taskforce

Dear Chair Horwitz,

At its meeting on June 2, 2022, the Executive Board reviewed the Report of the Negotiated Salary Trial Program Phase 2 Taskforce and divisional feedback. A majority of Executive Board members voted to accept the report, though the discussion highlighted several reservations. Members' concerns echoed the equity issue raised by letters from the divisional Council on Planning and Budget and Council on Academic Personnel, the Taskforce report, and the 2017 Academic Senate report. Additionally, members noted that one major reason for making this program permanent had been foreseen and warned against by the 2017 Senate report (as cited in the Taskforce report): the disruption that would be caused by ending it. We hope that a lesson was learned and that future proposals for trial compensation programs will avoid this constraint on future action.

Moving forward, members emphasized the importance of not losing focus on fairness and competitiveness of base salary scales, raising them to maintain faculty excellence and inclusion regardless of participation rates in the Negotiated Salary Program.

Sincerely,



Jessica Cattelino
Chair
UCLA Academic Senate

Encl.

Cc: Andrea Kasko, Vice Chair/Chair Elect, UCLA Academic Senate
Shane White, Immediate Past Chair, UCLA Academic Senate
April de Stefano, Executive Director, UCLA Academic Senate

May 26, 2022

Jessica Cattelino, Chair
Academic Senate

Re: Systemwide Review: Report of the Negotiated Salary Trial Program Phase 2 Taskforce

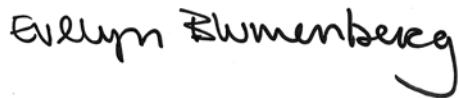
Dear Chair Cattelino,

At its meeting on May 16, 2022, the Council on Planning and Budget (CPB) reviewed and discussed the Report of the Negotiated Salary Trial Program Phase 2 Taskforce.

Members expressed that the report is, at times, opaque in terms of the issues and the details associated with the program. Moreover, they did not think that the report provides adequate transparency and oversight on the process. They also were concerned that the program, although small, may have negative effects on pay scales and faculty lines. Members from the David Geffen School of Medicine provided information and commented on the health compensation plan (which also includes a negotiated component) which they believe is not equitable.

If you have any questions for us, please do not hesitate to contact me at ebumenb@ucla.edu or via the Council's analyst, Elizabeth Feller, at efeller@senate.ucla.edu.

Sincerely,



Evelyn Blumenberg, Chair
Council on Planning and Budget

cc: Andrea Kasko, Vice Chair/Chair-Elect, Academic Senate
Shane White, Immediate Past Chair, Academic Senate
April de Stefano, Executive Director, Academic Senate
Elizabeth Feller, Assistant Director, Academic Senate
Members of the Council on Planning and Budget



Robert Horwitz
Telephone: (510) 987-0887
Email: robert.horwitz@ucop.edu

Chair of the Assembly of the Academic Senate
Faculty Representative to the Regents
University of California
1111 Franklin Street, 12th Floor
Oakland, California 94607-5200

July 29, 2022

MICHAEL T. BROWN
PROVOST AND EXECUTIVE VICE PRESIDENT
ACTING VICE PROVOST ACADEMIC PERSONNEL

Re: Report of the Negotiated Salary Trial Program Phase 2 Taskforce

Dear Michael:

As requested, I distributed for systemwide Senate review the report of the Negotiated Salary Trial Program Phase 2 Taskforce. Nine Academic Senate divisions and four systemwide committees (UCAP, UCAADE, UCFW, and UCPB) submitted comments. These comments were discussed at Academic Council's July 27 meeting and are attached for your reference.

The Negotiated Salary Trial Program (NSTP) has been in effect since 2013. It began as a five-year pilot on the UCI, UCLA, and UCSD campuses and has by now expanded to include UCD, UCR, and UCSC. The program is modeled on the Health Sciences Compensation Plan (HSCP), and is intended to add flexible options for generating faculty salary funding by allowing eligible general campus faculty to supplement their income with certain non-state resources.

In 2017, a Task Force reviewed four-year outcomes from the initial pilot and released a report recommending the program's renewal and expansion to other campuses. At that time, the Senate expressed conditional support for the Phase 2 expansion, while noting some significant concerns. The Phase 2 report concludes that the NSTP helps the six participating campuses recruit and retain senior faculty, increases extramural funding and graduate student support, and does not create perverse incentives for participating faculty as feared in the 2017 review. The report recommends a permanent Negotiated Salary Program (NSP) that includes several provisions to ensure support for equity, fairness, and a commitment to comprehensive excellence.

UC faculty are divided about the value of the NSTP. Some support the program as an effective tool for the recruitment and retention of faculty who work in fields where UC salary scales are below salaries that are ultimately obtainable from leveraging external funding sources to supplement state support. Many others are concerned about its potential to exacerbate salary inequities; undermine the merit and promotion system; and compromise the UC teaching, research, and service missions by shifting faculty effort to revenue-producing research activities. The concerns across campuses are similar and largely mirror those expressed in 2017. I will

summarize these concerns below, but also encourage you to refer to the full set of attached letters as you discuss next steps.

First, many faculty reviewers commented on the lack of convincing data in the report to support its conclusions that the NSTP has positively impacted faculty recruitment and retention, and that it has not impacted the University's teaching, research, and service missions. Going forward, the program should include: measurable goals and metrics concerning the efficacy and impact of the NSTP, recruitment and retention outcomes, salary and teaching load inequities, and graduate student support; a more robust and regular collection and assessment of reliable data related to these goals; and a more rigorous evaluation of the NSTP's potentially negative impacts.

Faculty support for the NSTP is concentrated in STEM disciplines where faculty are more likely to have the opportunity to participate in it. These faculty argue that the program helps recruitment and retention in STEM and other highly paid disciplines, where salary differentials relative to other disciplines already exist. This may be true, but one of the Senate's primary concerns expressed by several divisions and also quite eloquently by UCAADE, is that by creating a mechanism that supports more competitive salaries for a select group of faculty, the NSTP exacerbates these salary inequities across disciplines in ways that are also reflected by gender, race, and ethnicity. Given that faculty colleagues in the humanities, social sciences, and other disciplinary areas have fewer external sources of research funds that could supplement salaries under this program, and women and/or faculty of color are generally less likely to be program participants, the Council is concerned about further dividing faculty into two classes with different access to salary resources.

Reviewers also expressed concern that the program may deflect attention away from the need to improve the general faculty salary scales – a critical tool for supporting the overall excellence of the University – by shifting the cost of maintaining competitive salaries to a soft-money model. By weakening the salary scales, the NSTP could also undermine the UC merit and promotion system. It could distort the merit system in other ways, by encouraging departments to favor certain kinds of research and creating distinctions among faculty based on their ability to generate revenue rather than on their scholarly accomplishments. It may also have a negative impact on diversifying the faculty even in STEM departments. These are serious issues, but perhaps the most damaging effect could be to distort the larger academic priorities of the faculty and the UC teaching, research, and service mission, by incentivizing faculty to shift efforts to more personally lucrative research activities and to self-supporting graduate professional degree programs.

Another serious concern is that unless clear mechanisms are in place to ensure transparent fund flows, the NSTP could enable the inappropriate use of federal grants and state funds. We do not want to enable or encourage faculty to shift grant support from graduate student researchers to their own salary or unwittingly use state funds as part of the program. Faculty are supposed to generate NSTP funds through their own activities (i.e., grants or consulting fees). If department and division/school/college funds are being directed to fund these portions of the salary, they should not be doing so.

Finally, reviewers are skeptical about the report's claims that ending what is now an entrenched trial program will be too "disruptive," noting that a real or perceived inability to phase out a trial program is not a compelling rationale to make it permanent. It will also serve as a deterrent to future trials of other innovations within the system if it means that trial phases will automatically migrate into permanent features.

We have several recommendations for the program if it is made permanent or if the trial period is extended. In addition to more robust data collection, the NSTP should be implemented in a way that does not incentivize faculty to reduce their teaching and mentoring responsibilities. It should enable participation beyond STEM fields, and develop a plan to expand participation by more diverse faculty, including faculty in other academic series, departments, and campuses, and to advertise the program to more faculty. The program should include clear restrictions articulating unacceptable or fraudulent uses of funds that clearly prohibit state funds for the program and other resources beyond the targeted fund sources to cover shortfalls in program funding. Finally, the program should not be used to obfuscate the need to address the competitiveness of the salary scales for all faculty and to improve salary equity.

Thank you for the opportunity to opine. Please do not hesitate to contact me if you have additional questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Robert Horwitz". The signature is fluid and cursive, with the first name "Robert" and last name "Horwitz" clearly distinguishable.

Robert Horwitz, Chair
Academic Council

Cc: Academic Council
Chief of Staff Peterson
Campus Senate Directors
Executive Director Lin

Encl.



July 15, 2022

ROBERT HORWITZ
Chair, Academic Council

Subject: Report of the Negotiated Salary Trial Program Phase Two Taskforce

Dear Chair Horwitz:

I forward Berkeley's comments on the *Report of the Negotiated Salary Trial Program Phase Two Taskforce*. Our comments were developed by the Academic Senate Committee on Budget and Interdepartmental Relations (BIR), which I endorse on behalf of the Council of the Berkeley Division (DIVCO).

Sincerely,

A handwritten signature in black ink, appearing to read 'Ronald Cohen'.

Ronald C. Cohen
Professor of Chemistry
Professor of Earth and Planetary Science
Chair, Berkeley Division of the Academic Senate

Enclosure

cc: Mary Ann Smart, Vice Chair, Berkeley Division of the Academic Senate
Jocelyn Surla Banaria, Executive Director, Berkeley Division of the Academic Senate
Hannah Ginsborg, Chair, Committee on Budget and Interdepartmental Relations
Courtney MacIntyre, Senate Analyst, Committee on Budget and Interdepartmental Relations

July 7, 2022

CHAIR RONALD COHEN
BERKELEY DIVISION OF THE ACADEMIC SENATE

Re: Report from the Negotiated Salary Trial Program Phase 2 Taskforce

Thank you for the opportunity to comment on the report from the Negotiated Salary Trial Program Phase 2 Taskforce. Based on its analysis of the data collected from both Phase 1 and Phase 2 of the NSTP, the report recommends that the UC Office of the President develop a permanent negotiated salary program (NSP), but with a number of caveats intended to ensure that such a program is consistent with the ethos of the University of California, particularly in regard to “equity, fairness, and a commitment to comprehensive excellence” (p. 18).

We appreciate the efforts of the Taskforce, and we find its report to be thoughtful in its evaluation of the NSTP and constructive in its recommendations. Nonetheless we have some concerns about the Taskforce’s central recommendation; we articulate these concerns in what follows. As usual, we confine our comments to matters which fall within our purview.

1. Insufficient assessment of the effectiveness of an NSP for faculty recruitment and retention

The primary rationale for instituting a permanent NSP is to improve faculty recruitment and retention. The assessment of whether the NSTP has been successful in this respect is based solely on summary statistics from self-reported survey questions. The report states that “the program likely helps with keeping program participants at UC” (p. 1) but notes a lack of quantitative evidence supporting that conclusion (p. 10). Although we find it plausible in principle that the opportunity to increase salary through grants could be a useful inducement in recruitment and retention cases, we still believe that instituting a permanent change of this magnitude requires stronger evidence that it will indeed have the effect that is cited as its primary rationale.

2. Insufficient assessment of the potentially deleterious effects of an NSP

The report asserts that “the available evidence, while not perhaps as conclusive as might be desired, indicates that the NSTP is not harmful to the University’s mission.” As we stated in two previous memos to the Berkeley Division of the Academic Senate (2011 and 2017), an NSP “would inevitably introduce incentives for faculty to shift their attention and efforts from teaching and service toward revenue-producing research activities.” This continues to be a concern, and it is not allayed by the assessment provided in the report because the report does not

offer a rigorous assessment of the impact of the NSTP on teaching and service. We note that there was apparently no attempt to assess how the NSTP affected the quality (as opposed to quantity) of teaching and graduate mentoring, nor the quality or quantity of departmental, campus, or professional service. Furthermore, regarding teaching, the data reported in Figures 21 and 22 concerning the phase 2 campuses seem to indicate that student credit hours (SCH) for NSTP participants decreased substantially over a two-year period where SCH increased for non-participating faculty. Unless we are reading these data incorrectly, they seem to present evidence running counter to the report's assertion that the NSTP "does not appear to result in reductions in teaching."

A further potential harm of an NSP is that it could incentivize faculty to shift their research areas in directions that would be more conducive to augmenting their incomes through outside funding, but that might be of lesser value to the University's mission of research and teaching, and could even be detrimental to a faculty member's potential for world-class research. Although such incentives already exist to some extent, we believe that they might be increased substantially by an NSP. While survey participants respond that the NSTP altered their grant writing but did not alter the focus or nature of their research (see responses to Questions 11 and 12 in Appendix C2, p. 56), there are well-known limitations to survey data, and a more rigorous assessment of the impact of the NSTP on research seems warranted.

3. Effects of an NSP on salary equity

In our 2017 memo, we expressed the concern that "disciplinary difference in access to outside funding in the context of the Negotiated Salary Program would significantly increase salary disparities among disciplines beyond what already exists on campus" and that disparities "could be increased between faculty within individual departments depending on their precise area of research and availability of non-government sources of research funds that allow salary support." We note that the report addresses the question of salary equity, stating that "[i]f the University continues and possibly extends the NSTP, it will be incumbent upon it to seek to address any increase in salary inequities in other ways (e.g., by salary equity programs that are part of range adjustments)" and that "if [the NSP] alleviates competitive pressures that would otherwise require increases to base salaries in recruitments and retentions, then it arguably frees up 19900 and other funds to be used to address inequities (as well as potentially addressing other needs)" (p. 15). In the light of this, we believe that it is essential for any implementation of an NSP to specify a mechanism by which funds freed up by the use of non-19900 funds in recruitment and retention are used to support programs to address salary inequities.

4. Interaction of an NSP with the merit review process

In our 2011 and 2017 memos we noted concerns about how review of faculty salaries under an NSP program would interact with standard merit review procedures. In the 2017 memo, we wrote that "it seems incongruous for the Committee on Budget & Interdepartmental Relations to spend a significant amount of time determining whether an individual faculty merits a step advancement with a small increase in salary when the Negotiated Salary Program uses a different set of guidelines to determine whether to provide that same individual up to a 30% increase in salary" and that "[t]he issue of the articulation between the Negotiated Salary Program and

standard procedures for merit reviews remains unaddressed [in the report on the first phase of the program].” The present report addresses the relation between the NSP and standard merit and promotion procedures by recommending that “[p]articipation in an NSP should per se be neutral with regard to the merit and promotion process.” We do not believe that this addresses the incongruity we identified.

We also note that the UC system is also reconsidering its treatment of the commercialization of research as part of the merit review process (Recognition of Innovation Transfer in Merit Reviews). Although we do not necessarily see a problem with simultaneously increasing consideration of such activities in the merit review process and permitting faculty to augment their salaries through externally funded research, we do think it is worth assessing the potential interactive effects of these two changes on the scholarly environment.

5. Avoidance of disruption as a reason for instituting a permanent NSP?

According to the report, “the taskforce has concluded that ending the negotiated salary program would be so disruptive that we cannot recommend such a course of action. Rather, accepting that it needs to continue, we have addressed how it can be improved and expanded.” This implies that the Taskforce’s primary reason for recommending development of a permanent NSP is not the secure conviction that it will be of overall benefit to the University, but rather the claim that ending the trial program would be unacceptably disruptive. We do not see adequate support for this claim in the report. Moreover, it seems very unlikely that the adjustment costs over a few years on some campuses could outweigh the decades-long ramifications of enacting a poorly designed program on most or all campuses. The report notes that ending the program could “[lead] to demands for significant increases to base salaries and/or retention issues.” But this concern about ending what was intended as a trial program seems to us to be inconsistent with the report’s description of the NSP as “a way for faculty to augment their salaries *on a temporary basis*” (p. 19, emphasis added). Furthermore, the argument that ending the NSTP would be unacceptably disruptive, even if it does speak for maintaining and improving the program, does not justify expanding it.

6. Operational issues

- a. **Contingency Shortfalls.** We wondered whether the Taskforce considered prohibiting income-augmenting payments under NSPs until campus received those funds. Such a policy would avoid establishing contingencies for funding shortfalls, as discussed on pages 24 and 91 of the report.
- b. **Year limits.** As noted under 5., the report states that “the NSP is a way for faculty to augment their salaries on a temporary basis by negotiating to use suitable non-19900 funds to raise their academic-year salaries above their permanent academic-year salaries.” Given the “temporary basis” requirement, did the Taskforce consider limiting a faculty member’s use of the NSP to a maximum number of years for a given period?
- c. **Suitable non-19900 funds.** The report suggests granting some autonomy to each campus concerning appropriate fund sources, as discussed on pages 19–20. Given the possibility that external funding of faculty incomes has a larger

impact on faculty research than the current modalities for financing research, we believe that it is especially important to rigorously assess the impact of the NSTP on research.

We thank you again for the opportunity to comment on this report.

A handwritten signature in black ink, appearing to read "H Ginsborg". The signature is fluid and cursive, with a long, sweeping underline that extends to the right.

Hannah Ginsborg
Chair

HG/wl



DAVIS DIVISION OF THE ACADEMIC SENATE
ONE SHIELDS AVENUE
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(530) 752-2220
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July 19, 2022

Robert Horwitz
Chair, Academic Council

RE: Report of the Negotiated Salary Trial Program Phase Two Taskforce

Dear Robert,

The Report of the Negotiated Salary Trial Program Phase Two Taskforce was forwarded to all standing committees of the Davis Division of the Academic Senate. Eight committees responded: Academic Personnel Oversight (CAP), Faculty Welfare (FWC), Planning and Budget (CPB), and the Faculty Executive Committees of the College of Agricultural and Environmental Sciences (CAES), the College of Biological Sciences (CBS), the College of Engineering (COE), the School of Nursing (SON), and the School of Veterinary Medicine (SVM).

Committees are divided on the program. Supporters (FWC, CPB, CBS, SON, portions of CAES and COE) argue that it is a useful program for faculty recruitment and retention, and they do not see evidence that the program is affecting other parts of the university mission. Even so, they recommend several program improvements, described below. Opponents (CAP, SVM, portions of CAES and COE) argue that the program could widen salary inequities, deflect attention away from improving lagging faculty salary scales, and distort academic priorities and university missions.

If the program continues, several concerns should be addressed. CPB and CBS note the administrative burden that this program has put onto departments—a burden “disproportionate to the number of faculty participants.” It is not clear if this burden is local to UC Davis or if other campuses are experiencing similar issues. As CPB writes, “Determining systematic ways to implement the NSTP to reduce administrative burdens at the local level and create consistent data collection and monitoring are important priorities that warrant further consideration.”

CPB raised two additional points to consider:

- Departments are responsible for offsetting faculty members’ increased salaries should faculty lose their extramural funding. The ability to participate in this program should be linked to faculty outcomes; if a faculty member loses their extramural funding, the department should not be responsible for compensating for this loss.
- It was unclear to CPB whether faculty who are full time but hold a 50% appointment from non-state-supported funds (i.e., In Residence faculty) would be eligible to participate in this program. CPB recommends that In Residence faculty be eligible to participate in this program.

Given the decentralized administration of this program (both across and within the campuses), there is a corresponding difference in program experiences among Davis Division committees and faculty. We therefore encourage the Taskforce to read through the enclosed committee feedback in its entirety.

The Davis Division appreciates the opportunity to comment.

Sincerely,

A handwritten signature in black ink, appearing to read "R. Tucker". The signature is fluid and cursive, with a long horizontal stroke at the end.

Richard P. Tucker, Ph.D.
Chair, Davis Division of the Academic Senate
University of California, Davis

Enclosed: Davis Division Committee Responses

c: Monica Lin, Executive Director, Systemwide Academic Senate
Michael LaBriola, Assistant Director, Systemwide Academic Senate
Edwin M. Arevalo, Executive Director, Davis Division of the Academic Senate

June 2, 2022

Richard Tucker

Chair, Davis Division of the Academic Senate

RE: RFC: Report of the Negotiated Salary Trial Program Phase 2 Taskforce

The Committee on Academic Personnel – Oversight (CAP) has reviewed and discussed the Report of the Negotiated Salary Trial Program (NSTP) Phase 2 Taskforce. CAP previously shared their concerns regarding this program in [2017-18](#). Building upon the concerns raised by the 2017-18 CAP, the current CAP does not think that the Phase 2 report provided enough evidence to support institutionalizing the program. CAP firmly disagrees with the report's overall recommendation and posits that the NSTP should not be institutionalized without compelling data that supports its continuation. Moreover, whether or not UC systemwide proceeds with institutionalizing the NSTP or continues to extend it on a trial basis, CAP strongly recommends that data continue to be collected.

CAP appreciates the opportunity to comment.

June 03, 2022

Richard Tucker

Chair, Davis Division of the Academic Senate

RE: Request for Consultation – Report of the Negotiated Salary Trial Program Phase 2 Taskforce

Dear Richard:

The Committee on Faculty Welfare has reviewed the RFC – Report of the Negotiated Salary Trial Program Phase 2 and supports the continuation of the Negotiated Salary program and strongly supports the extension of the program to all faculty.

Sincerely,

A handwritten signature in blue ink that reads "Karen L. Bales". The signature is written in a cursive style with a large, sweeping flourish at the end.

Karen L. Bales

Chair, Committee on Faculty Welfare

c: Edwin M. Arevalo, Executive Director, Davis Division of the Academic Senate

June 7, 2022

Richard Tucker

Chair, Davis Division of the Academic Senate

RE: Report of the Negotiated Salary Trial Program Phase 2 Taskforce

The Committee on Planning and Budget (CPB) has reviewed and discussed the Report of the Negotiated Salary Trial Program Phase 2 Taskforce. Overall, the CPB is generally supportive of the Negotiated Salary Trial Program (NSTP) and recognizes its potential usefulness as a tool to provide competitive salaries for highly productive faculty. However, the committee also has some concerns about the program and its proposed implementation both on campus and systemwide. These concerns include the following:

- The CPB opposes the ability for faculty to use self-supporting degree program funds (SSDP) in the NSTP because of the perverse incentives and potential equity issues this could create. In particular, members voiced their concern that this ability would lead to the creation of more SSDPs since these programs would be an avenue through which faculty could negotiate for higher salaries. The creation of more SSDPs could lead to more faculty teaching for-profit courses rather than state-supported courses, thus undermining the University's public instructional mission. Even if the self-supporting programs generate enough revenue to cover the cost of providing lecturers in the state-supported programs, students in those courses would no longer benefit from the expertise of core senate faculty. Salary equity is also a concern if pay for teaching is higher in some programs than in others without clear guidelines ensuring equitable teaching assignments in such programs. The CPB strongly recommends against including SSDP funds as an allowable fund source in this program.
- The CPB did not agree with the Taskforce's recommendation that campuses should have "as much local autonomy as feasible" in the implementation of this program. The lack of a uniform systemwide policy can lead to much higher implementation costs. Additionally, a highly decentralized implementation process will make systemwide oversight and monitoring infeasible. It will be important to continue to collect data on this program. Without consistent data, it will be difficult to understand the local and systematic impacts this program has had on costs and uses as well as impacts on faculty retention, teaching, and service. At UC Davis, the decentralized rollout of the pilot program has led to inconsistency across academic units (as Deans can either opt-in or opt-out of the program) and a greater administrative burden that seems disproportionate to the number of faculty participants. Faculty with similar research areas who happen to be in different colleges or schools would have inequitable access to this program. Determining systematic ways to implement the NSTP to reduce administrative burdens at the local level and create consistent data collection and monitoring are important priorities that warrant further consideration. Moreover, members suggested that these salaries, though not from state-supported funds, should be publicly reported and transparent.
- The CPB was troubled by the fact that departments are responsible for offsetting faculty members' increased salaries should faculty lose their extramural funding. The ability to participate in this program should be linked to faculty outcomes; if a faculty member loses their extramural funding, the department should not be responsible for compensating for this loss.

- It was unclear to the CPB whether faculty who are full-time but hold a 50% appointment from non-state-supported funds (i.e., In Residence faculty) would be eligible to participate in this program. The CPB recommends that In Residence faculty be eligible to participate in this program.

CPB appreciates the opportunity to comment and hopes the policy will be refined to address the committee's concerns.

Report of the Negotiated Salary Trial Program Phase 2 Taskforce

FEC: College of Agricultural and Environmental Sciences Committee Response

June 10, 2022

The Faculty Executive Committee of the College of Agricultural and Environmental Sciences (CA&ES) discussed the Report of the Negotiated Salary Trial Program Phase 2 Taskforce at its regular meeting on 19 May 2022. Some faculty supported the program while others voiced concerns. The primary points:

1. Certain faculty are more likely to be able to take advantage of the program than others due to their research areas. Faculty may be doing mission critical research for the university and Agricultural Experiment Station, but they may not be able to raise funds in that area of investigation sufficient to participate. Thus, these faculty could switch research areas to one that is more lucrative. Because few faculty currently take part in the program, how significant a problem this could become is unknown, but it would certainly be unwelcome.
2. Regardless, there is an equity issue among faculty if some can easily participate and others cannot.
3. Many (perhaps most) faculty are completely unaware that the program even exists.
4. If the program is going to be used, then all faculty from both Academic Senate and Academic Federation should be eligible. As it stands, AF faculty are currently ineligible, which causes an equity issue.

The CA&ES faculty appreciates the opportunity to comment.

June 4, 2022

Richard Tucker
Chair, UC Davis Division of the Academic Senate

RE: Report of the Negotiated Salary Trial Program Phase 2 Taskforce

Dear Richard,

The Faculty Executive Committee of the College of Biological Sciences has reviewed the request for consultation regarding the Negotiated Salary Program. We agree that this program is important for helping UC Davis to compensate participating faculty at a market level and to level the playing field with professors at Medical Schools. Although this program is used very little by CBS faculty, both increased compensation and the additional extramural and indirect funds it generates are welcome additions. We do not see any evidence that this program has a negative effect on other parts of the university's mission, such as instruction and training of graduate students. We support the recommendation to develop a permanent version of the program.

However, it is essential that the university observe key “not-to” recommendations, including but not limited to “not be seen as an excuse by UCOP or the Regents to avoid addressing salary scales that continue to be non-competitive with institutions with which the campuses compete for faculty talent.” The University should not try to claim increased salary competitiveness as a result of this program. If that were to happen, it could result in a slower trajectory of increases to the pay on the normal base scales, which would hurt the majority of faculty who do not participate in this program.

There are also significant problems with the way NTSP is currently set up and administered. In its current form, the NTSP is unnecessarily costly, complex, and burdensome for the home departments. In many cases, the University will get more money from the program than the individual professor, which is not sustainable and may be one of the reasons why NTSP is underutilized:

1. The benefit rate on NTSP salary is charged at 38.9%. This is excessive, given that NTSP salaries are likely to be above the FICA cap, are on top of the regular salaries that cover faculty health insurance and other benefits, and are not subject to UCRP.
2. The NTSP program requires a **non-refundable** 10% match as insurance (the contingency fund on page 95 of the report, pages 23-24 of appendix C3). This is despite the fact that all funds for NTSP have to be in place. It is difficult to believe the NTSP are defaulted on 10% of the time. Are there statistics of the default rate? Of all UC campuses, UC Davis has the largest contingency fund (as terms of %) in place. UCLA does not charge a contingency fee. Why does UC Davis charge as much as 10%?

Since NTSP funds are often paid from federal grants associated with 54% indirect costs, if you add up these three factors (38.9% benefits that don't go to the employee, 10% default

insurance, and 54% indirect costs) you can see the university often gets more dollars from NTSP than the faculty member does. This should be fixed moving forward. Treating NTSP like summer salary, which is charged a benefit rate of 9.9%, seems to be a reasonable compromise.

Administration of the NTSP is also burdensome at the departmental level. Its implementation is overly complicated, and it takes too much time at the departmental level to arrange NTSP. This could also be streamlined to be as simple as taking summer salary.

In summary, we believe that something like NTSP should remain, as its good for the faculty. However, if the program were streamlined to make it as easy as getting summer salary and the benefit rate was in line with summer salary, it would likely become more widely used and yield a greater benefit to the faculty and ultimately the university.

We appreciate being consulted on this proposal.

Artyom Kopp
On behalf of the CBS Faculty Executive Committee

Prof. Richard Tucker
Chair, UC Davis Division Academic Senate

RE: report of the Negotiated Salary Trial Program Phase 2 Taskforce

Dear Richard,

I write on behalf of the College of Engineering Faculty Executive Committee in response to the RFC on the above-referenced report. Engineering FEC discussed this report at its regular meeting on June 3, 2022. In short, Engineering FEC is sharply divided on the practice of allowing general-campus faculty to negotiate salary increments that are funded by extramural sources.

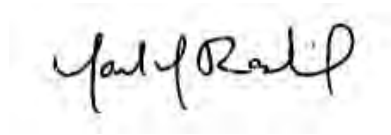
Some members of the committee emphasized the fiscal benefit of allowing well-funded faculty to, in essence, self-fund their own retention actions. These members see little harm in the practice, and point to the potential for lessening the fiscal burden, on both the departments and the College, associated with attracting and retaining excellent senior faculty; particularly in certain fields. This is no small benefit, especially considering the COE's bleak budget outlook. The Taskforce reports that, based on the available evidence, it was unable to conclude that the NSTP has had a broadly positive impact on recruitment and retention. The report attributes this difficulty to the small numbers of participants in the trial program, which precluded statistically rigorous conclusions. However, it seems entirely plausible that the existence of the program would favorably incline some current and prospective faculty toward pursuing their careers at UC Davis. The report contains anecdotal evidence that this is indeed the case, including comments by some administrators who were involved in retention actions.

Other FEC members expressed strong concerns about the potential for the program to create perverse incentives. These members worry that allowing self-funded academic-year salary increments would inevitably lead to a kind of "independent franchise" mentality, such that some faculty might prioritize the solicitation of funding for their own salaries over other teaching, research, and service responsibilities. The Taskforce reports no decline in instructional engagement nor in graduate-student mentorship among program participants. This observation was attributed to strong, and enforced, controls on teaching buy-outs and the like among program participants. However, the report also contains anecdotal accounts of borderline-unethical behavior on the part of PIs that essentially amount to PIs funding their NSTP increments on the backs of their graduate-student mentees. In general, it is hard to dismiss the potential for program-generated distortions in priorities and practices. And, while strong controls might be codified initially and with the best of intentions, the commitment to these controls at the unit and college levels over the long term would remain to be seen. There is also the question of whether the existence of a permanent negotiated-salary program might take the pressure off the systemwide administration to maintain a fair and equitable posture toward faculty compensation among non-participants.

The foregoing points were put forward by FEC members in earnest good faith, and with the best interests of the institution squarely in mind. Though Engineering FEC was unable to come to a consensus on the Taskforce's report and the NSTP in general, there is one observation on which we agree: one of the Taskforce's rationales for making the program permanent, namely that discontinuing it would cause intolerable "disruption," is a weak one. It is hardly surprising that current and prospective faculty who enjoy higher salaries because of the trial program would very much like to continue the program. In fact, one wonders why such an outcome could not have been predicted in advance of implementation of phase 1. Accordingly, one further wonders if the characterization of the program as a "trial" is entirely appropriate.

Engineering FEC appreciates the opportunity to comment.

Best regards,

A handwritten signature in black ink, appearing to read "Mark M. Rashid". The signature is fluid and cursive, with the first name "Mark" and last name "Rashid" clearly distinguishable.

Mark M. Rashid

Professor

Department of Civil and

Environmental Engineering

Chair, College of Engineering Faculty Executive Committee (2021-22)

mmrashid@ucdavis.edu

Report of the Negotiated Salary Trial Program Phase 2 Taskforce

FEC: School of Nursing Committee Response

June 10, 2022

The SON agrees that continuing the Negotiated Salary Program is an important method for attracting and retaining faculty at UC.

School of Veterinary Medicine Faculty Executive Committee

June 10, 2022

Richard Tucker
Chair, Davis Division of the Academic Senate

RE: Request for Consultation - Report of the negotiated salary trial program Phase 2 taskforce

Dear Richard,

While the NSTP has definite merits relating to a small percentage of faculty, it is not a program that the School of Veterinary Medicine has historically participated in and is unlikely to do so in the near future. There are 2 main issues contributing to this position:

- 1) Most significantly, the NSTP is in conflict with the SVM Faculty Salary Administrative program as outlined in APM 675. Previously called the Strict Full Time program, this was initiated in 1968 to address required higher salary scales for SVM faculty to be competitive in the recruitment marketplace. The salary pool to fund the Salary Administration Program (also from external fund sources) would be in direct competition with the NSTP with the potential to destabilize the Administrative Program.
- 2) The NSTP would only permit SVM I&R faculty members to participate to the exclusion of clinical track faculty. This further disenfranchisement of the clinical faculty and the resulting inequity would therefore not support the application of this mechanism to enhance SVM faculty salary across the whole school.

Sincerely,



Pete Dickinson
Chair, SVM FEC

June 24, 2022

Robert Horwitz, Chair
Academic Council

Re: Report of the Negotiated Salary Trial Program Phase 2 Taskforce

Dear Chair Horwitz,

The Irvine Division discussed the report of the Negotiated Salary Trial Program (NSTP) Phase 2 Taskforce at its June 21, 2022 Cabinet meeting. The Council on Planning and Budget (CPB), Council on Faculty Welfare, Diversity, and Academic Freedom (CFW), Council on Research, Computing, and Libraries (CORCL), and Graduate Council (GC) also reviewed the report. Feedback from those councils is attached for your review.

While the Council on Academic Personnel (CAP) declined to opine on the report, one member commented that NSTP requires three months in summer salary, thereby precluding the participation of faculty who may have partial summer salary due to other opportunities they need to pursue during the summer (industry training was mentioned as an example).

Additionally, several Cabinet members agreed with the concerns of all reviewing councils that the program creates salary inequities.

The Irvine Division appreciates the opportunity to comment.

Sincerely,



Joanna Ho, Chair
Academic Senate, Irvine Division

Enclosures: CPB, CFW, CORCL, GC memos

Cc: Georg Striedter, Chair Elect-Secretary
Jisoo Kim, Executive Director
Gina Anzivino, Associate Director



June 7, 2022

**JOANNA HO, CHAIR
ACADEMIC SENATE – IRVINE DIVISION**

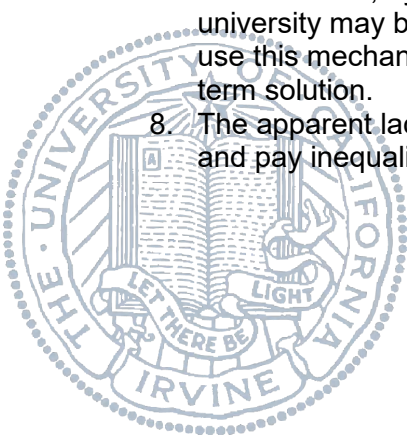
Re: Report of the Negotiated Salary Trial Program Phase 2 Taskforce

The Negotiated Salary Trial Program (NSTP) was launched on three campuses, including UCI, as a five-year trial program from July 1, 2013 through June 30, 2018. A joint Senate-Administration taskforce reviewed the program, and in its June 2017 report recommended continuation of the program under certain conditions. Following systemwide review of the taskforce's report and additional consultation with Academic Senate leaders and campus administration, Provost Brown extended the program for another four years, with a review after the third year and adding a fifth year of "wind-down" should the program not be continued after four years. The Phase 2 Taskforce was appointed in October 2021 and included membership appointed by both the Academic Senate and Provosts/Executive Vice Chancellors.

The Council on Faculty Welfare, Diversity, and Academic Freedom (CFW) discussed this issue at its meeting on May 10, 2022, and would like to submit the following comments:

1. Members agreed that, overall, the data did not suggest any positive impacts.
2. Due to finding agency limitations, even people in very similar research areas have disparate access to this funding. Additionally, some fields don't need significant funding to do high quality research and hence have no access to this benefit. This creates salary inequities.
3. Since only a small fraction of faculty can benefit from NSTP, it is not clear that it will significantly reduce pressure for retention offers and could increase them given the salary inequities generated by NSTP.
4. Extending the trial to collect more information seems inconsistent with the statement that ending it would be too disruptive. It will be more disruptive in a few years.
5. Members expressed concern that the NSTP requirements do not include any prohibition against using grant funding to pay PI salary rather than support students.
6. A benefit of the NSTP is stated to be an increase in funding to participants. No comparison was given to non-participants, whose grant funding has also likely gone up.
7. It seems as if, by providing additional salary only in the form of "soft money," the university may be failing to keep up with fair salary rates for the units/programs that use this mechanism. It seems like a stop-gap measure at best and not a good long-term solution.
8. The apparent lack of transparency is another issue that could lead to insidious biases and pay inequality.

Sincerely,



A handwritten signature in black ink, appearing to read 'T. Dalton', with a large, stylized loop at the top.

Terry Dalton, Chair
Council on Faculty Welfare, Diversity, and Academic Freedom

C:

Jisoo Kim, Executive Director
Academic Senate

Gina Anzivino, Associate Director
Academic Senate

June 15, 2022

JOANNA HO, CHAIR
ACADEMIC SENATE, IRVINE DIVISION

RE: Taskforce Report on Negotiated Salary Program Phase II

At its meeting on May 19, 2022, the Council on Research, Computing, and Libraries (CORCL) discussed the recommendations by the Senate-Administration taskforce on the Negotiated Salary Trial Program (NSTP).

The potential benefits of the NSTP—recruitment and retention of top researchers, associated gains in research productivity and extramural funding, and alleviation of pressure for joint appointments in health science departments—as well as its potential drawbacks—unjustified inequalities in compensation and perverse incentives for faculty—appear to be well established. The Phase 2 Taskforce’s recommendation in favor of the continuation of the NSTP relies on data collected from participating faculty and on community surveys. Specifically, the Taskforce cites its conclusion that NSTP likely helps recruitment and retention of senior faculty and reduces the pressure for joint appointments in health science departments, that it does not lead to perverse incentives for participating faculty and that it may in fact lead to an increase in extramural funding and in graduate student and postdoc support, and that observed demographic inequities in compensation are either an acceptable unintended consequence of the program or reflect spurious associations. We offer several comments about these conclusions below.

Data Challenges

As an initial matter, it is important to note that program participation is limited, leading to small sample sizes for statistical analysis. Further complicating analyses of the program’s effects are the interplay of many potential confounding variables, as faculty member and department characteristics influence selection into the program and may also affect other aspects of compensation. While we applaud the Phase 2 Taskforce’s attempt to generate an evidence-based recommendation, this context makes this approach particularly challenging. Greater attention to these issues would be helpful.

Recruitment and Retention

The importance of NSTP in recruitment and retention is largely supported by positive comments from administrators, department chairs, and participating faculty. However, as the Phase 2 Taskforce notes, hard data on the benefit of NSTP is difficult to acquire.

Extramural Funding and Graduate Student and Postdoc Support

The determination that NSTP positively impacts extramural funding and graduate student and postdoc support is based on data presented in an appendix to the Taskforce report. Yet it appears that those data have not been collected or analyzed in a way that optimally assesses the impact of NSTP, as detailed in the following.

A notable concern about the NSTP program is that PIs may use it to draw funds from their extramural grants at the expense of financial support for graduate students and postdocs. For example, the Taskforce report notes that a faculty respondent to the 2021 NSTP faculty survey wrote:



I have been a co-PI on grants where the PI would collect his NSTP but claimed that he couldn't support students who worked on the grant. Then, the students were forced to get a TAsip or support themselves while their work was perfectly fine. The NSTP was paid by the students. Simultaneously, the budget was completely opaque as the PI guarded the info about his NSTP because he wanted to hide this practice and didn't want to offer it to the other PIs. I have witnessed this behavior firsthand on several grants and heard anecdotally similar experience[s] from other colleagues. Overall, NSTP has had a perverting role and has led to unethical behavior among unscrupulous PIs who prefer to pay themselves than their students or co-PIs while the program [is] subsidized by TAsips which are in short suppl[y].

The Taskforce report notes that this concern is alleviated, at least in part, by data shown in the appendix that is apparently self-reported by participating faculty. Specifically, headcounts in research groups of PIs that participate over two consecutive years analyzed do not decrease. Data on student support are also provided, which show strong year-to-year variations that it would be helpful to explain, and that do not explicitly provide the percentage of supervised students that are fully funded.

The Taskforce report also notes that NSTP participation may lead to increased extramural grant acquisition, which would in turn benefit students, postdocs, and the University as a whole. However, several questions about these data and their interpretation do not appear to be addressed:

- Are faculty that enrolled both in 2019-2020 and 2020-2021 representative of overall participating faculty? Could it be that some faculty participate for non-consecutive years, in a way that detrimentally impacts student and postdoc support?
- Faculty that enroll in NSTP are likely on an upward trajectory in terms of funding. It is therefore not surprising that they would be in the process of increasing the size of their research group. The real question is whether student or postdoc support would have further expanded *had these faculty not joined the NSTP program*. Perhaps this question could be addressed with comparisons to faculty in the same departments and with similar increases in funding, but who do not enroll in the NSTP program
- Noting an increase in extramural funding over a few years in participating faculty does not show that NSTP led to increased funding acquisition. This is because, for example, paylines of funding agencies vary from year to year. It would have been more meaningful to compare changes in funding levels across the years for participating faculty to changes for nonparticipating faculty with similar characteristics.

Demographic Patterns

Finally, the Taskforce reports unequal rates of participation in the program and unequal salary increases through the program by gender and race/ethnicity. The report states that this information “does not control for the myriad of factors (e.g., series, starting rank, time since degree, discipline, years of experience) that would normally be included in any salary equity analysis” and thus should not be interpreted as such. However, it makes no attempt to assess whether this observed variation is explained by observed characteristics.

CORCL Recommendation

Assuming the program is continued pursuant to the Phase 2 Taskforce’s recommendation, the Council offers the following recommendations.

- Data collection efforts should continue, with the goal of better comparing similar participant and non-participant faculty members. This may be in tension with the recommendation that reporting requirements be reduced to lower the program’s administrative burden.
- CORCL strongly supports the Taskforce’s recommendation that NSTP be advertised to all eligible faculty. Relatedly, efforts to increase the program’s transparency should be encouraged.

The Council appreciates the opportunity to comment.

On behalf of the Council,

A handwritten signature in black ink, appearing to read "Michele Guindani", with a long horizontal flourish extending to the right.

Michele Guindani, Chair

c: Jisoo Kim, Executive Director
Gina Anzivino, Assistant Director
Michelle Chen, CORCL Analyst

June 20, 2022

JOANNA HO, CHAIR
ACADEMIC SENATE, IRVINE DIVISION

RE: Report of the Negotiated Salary Trial Plan Phase 2 Taskforce

The Council on Planning and Budget (CPB) discussed the recommendations proposed by the Negotiated Salary Trial Program Phase 2 Taskforce at its May 25, 2022 meeting and continued its review electronically.

In two previous evaluations (November 2011 and October 2012), CPB expressed strong disapproval of the NSTP. The objections were that the program increases salary inequity, that it reduces UC's incentive to make its regular salaries competitive, and that it violates the intent of federal research support (where grant-funded summer salary is meant to be the path to salary enhancement). In this current evaluation, the Council's review resulted in similar findings.

Although CPB had a robust discussion on the report, the Council was ultimately unable to come to a consensus. Below are comments from the discussion that demonstrate the range of opinions on the program:

Program Goals and Implementation

- From its implementation, no reliable data was collected on the effects of the NSTP on recruitment and retention. Also considering that only 6.4% of all eligible faculty across the six campuses participate in the program, there is insufficient data to appropriately evaluate the NSTP's efficacy and impact. Moreover, the report proposes the elimination of the administrative tracking of the program. This makes it so that it will be impossible to ever discern if the program is achieving its goals.
- The NSTP paves the way for federal grants to be used inappropriately. This will create problems with granting agencies. Restrictions that articulate unacceptable usage of grant funds should be considered.
- Consultation with campus counsel on the legal implications of the program is necessary. If the program is in violation with the law, the sanction could be severe for the whole UC system. The NSTP should not continue until this is clarified.
- The allowable funding sources include contracts and grants, and professional degree and self-supporting degree fees. Federal C&G funds account for 56.2% (\$9,262,250/year) of the fund sources. Some members agreed with the report that using degree fees may be politically fraught. To the extent they can be used to provide competitive salaries, there may be better ways to do so outside of the NSTP.

Other members supported the use of degree fees in this manner citing the case where a Dean allocates the funds to a research initiation program (which leads to graduate student support because the funds cannot be used to pay faculty salary but can be used to pay GSRs). Degree fees additionally finance a portion of temporary NSTP funding allowing the Dean to make a better offer to highly competitive mid-level faculty recruits, the argument being that there is an expectation that the faculty will eventually be supported by grants and



gifts. It was observed that this represented a small portion of the overall SSP surplus. In the context of SSPs being created with the expectation that some 33% goes toward graduate support (as stipulated by the Senate), the above distribution was well above that, and the graduate students benefit from the excellent faculty that the School was able to attract (which in turn has led to higher quality graduate students wanting to join the department and picking us over top places).

- The report notes that elimination of the NSTP program does not seem possible. The entrenched nature of the program means that its elimination would be highly disruptive. However, without reliable data to support this statement, it is unclear if this is indeed the case.
- Members observed that because negotiated salaries are not paid from 19900 funds, and because funding for negotiated salaries could fall through, campuses must ensure they have a strategy to cover negotiated salaries should the original identified funds ultimately prove unavailable.

Salary Inequity

- The program has created inequity based on race and ethnicity.
- The program exacerbates inequity between disciplines. Outside of STEM fields, most disciplines within the University have no access to the grant funds that can be used for negotiated salaries.
- The NSTP carries with it problematic optics on pay equity between graduate students and faculty. Concerned about the potential for the NSP to drive unwanted changes in available GSR versus TA positions, some members took particular note of the following reported comment::

"Overall, NSTP has had a perverting role and has led to unethical behavior among unscrupulous PIs who prefer to pay themselves than their students or co-PIs while the program is subsidized by TAs which are already in short supply". (3. Assessment of the NSTP, B. Assessment of the Current Program, Section iii. Graduate Student and Postdoctoral Support).

Other members observed that such situations are the responsibility of the campus to avert or manage through specific policies and oversight. Given that a chair or dean would likely be concerned if all of a particular PI's students are on TAs because the PI has budgeted grants to cover salary from the NSP rather than GSR lines, it was suggested that departmental and/or school policies include oversight of these funding plans at multiple stages, such as faculty recruitment, grant submission, and/or graduate student admission/lab assignment.

Recruitment and Retention

- Some members observed that the NSTP incentivizes faculty that can bring in significant amounts of funding that the campus could not otherwise compete with. However, others noted that an investigation of the program's impact in the past ten years in increasing the campus's stature as a research-focused institution is needed.
- The program functions as a self-fulfilling prophecy where faculty who already have access to grant opportunities happen to do research in something that is trendy are further rewarded. Faculty that are doing interesting and important work in areas that are not currently fashionable are not provided with comparable support.

The Council appreciates the opportunity to comment.

On behalf of the Council,

A handwritten signature in dark ink, reading "Alyssa A. Brewer". The signature is written in a cursive, flowing style.

Alyssa Brewer, Chair

CC:Jisoo Kim, Executive Director, Academic Senate
Gina Anzivino, Associate Director, Academic Senate
Michelle Chen, CPB Analyst

May 26, 2022

**JOANNA HO, CHAIR
ACADEMIC SENATE, IRVINE DIVISION**

RE: Report of the Negotiated Salary Trial Program Phase 2 Taskforce

At its May 12, 2022 meeting, Graduate Council reviewed the Report of the Negotiated Salary Trial Program Phase 2 Taskforce. The Negotiated Salary Trial Program (NSTP) allows faculty to apply for a 1-2 year period in which they can supplement their salary above scale, using funds from external sources such as grants, gifts, and professional fees. It was instituted as a trial program for the years 2013-18 and then extended for 4 more years through 2022.

In previous reviews, several concerns have emerged related to the Program's low level of usage (6.4% in 2020-21; 93 faculty at UCI in 2020-21) and inequity across Schools (STEM being over-represented), funding sources (perceived as accessible primarily to those with NIH grants), level (under-represented for Assistant Professors), and minority status (under-represented for URM faculty). Additionally, concerns regarding the impact of graduate student funding, as well as post-doc funding, from the same sources as the NSTP funding have been persistent through the time period of the trials. That is, since the funding sources arrive with finite amounts of dollars, the money allocated to enhance faculty pay is simply not available for other purposes such as funding graduate students or post-docs.

However, despite these concerns, the Taskforce recommended instituting NSTP on a permanent basis. Although some comments about improving the program are made, no actual concrete ways to improve are presented. The argument for making the Program permanent is built upon a claim that removing it would be "very disruptive at the participating campuses, potentially leading to demands for significant increases to base salaries and/or retention issues". However, this is a bit of an odd argument since there are also claims, with supporting evidence, that the Program is only marginally used. There is no actual explication of how ending the Program would be "very disruptive" other than the assertion of disruption and some indications some highly paid faculty will make marginally less money.

In regard to graduate education, there were concerns following the 2017 review that there was not sufficient data to confirm the lack of negative side effects, particularly reduced graduate student support with funding sources (such as grants and revenue from professional programs) instead going towards supplementing faculty salaries.

In the most recent report, the Taskforce found that student support and research group size had increased over time (comparing pre-NSTP to post-NSTP), the main evidence provided that graduate student support is not being negatively affected. However, correlation is not causation and the evidence there is no impact is weak. A survey of those who are receiving NSTP funds resulted in assurances from 32% of the respondents to a survey about the NSTP that their support of graduate students has increased due to NSTP (64.7% reported no change). How this may have happened is unclear since the NSTP



does not actually have anything to do with graduate funding, but rather simply allows faculty to receive funding that may have otherwise gone to graduate students. Negative impacts to graduate students seem to occur according to a comment quoted from a non-participant who, as a grant co-PI, reported observing funds spent to supplement faculty salary to the detriment of graduate compensation.

The Taskforce concluded that “the increased research support incentivized by the NSTP does not solely benefit faculty salaries — it is having a significant positive impact consistent with the overall education and research mission of the University of California” and, by extension, is increasing funding for graduate research and support. There is, however, no empirical demonstration of this, but rather it is simply repeated several times as a fact or as received wisdom.

Graduate Council finds the Report disappointing due to the lack of a proper analysis to make a compelling case instead of high-level assumptions. An in-depth assessment would address any concerns about the potential impact on graduate student funding. Members noted that the NSTP is being used by some departments as a mechanism to incentivize and retain their most productive faculty.

On behalf of the Graduate Council,



Arvind Rajaraman, Chair

c: Jisoo Kim, Executive Director, Academic Senate
Gina Anzivino, Associate Director, Academic Senate
Thao Nguyen, Graduate Council Analyst

June 21, 2022

Robert Horwitz
Chair, UC Academic Senate

Re: (Systemwide Senate Review) Report of the Negotiated Salary Trial Program Phase 2 Taskforce

Dear Chair Horwitz,

At its meeting on June 2, 2022, the Executive Board reviewed the Report of the Negotiated Salary Trial Program Phase 2 Taskforce and divisional feedback. A majority of Executive Board members voted to accept the report, though the discussion highlighted several reservations. Members' concerns echoed the equity issue raised by letters from the divisional Council on Planning and Budget and Council on Academic Personnel, the Taskforce report, and the 2017 Academic Senate report. Additionally, members noted that one major reason for making this program permanent had been foreseen and warned against by the 2017 Senate report (as cited in the Taskforce report): the disruption that would be caused by ending it. We hope that a lesson was learned and that future proposals for trial compensation programs will avoid this constraint on future action.

Moving forward, members emphasized the importance of not losing focus on fairness and competitiveness of base salary scales, raising them to maintain faculty excellence and inclusion regardless of participation rates in the Negotiated Salary Program.

Sincerely,



Jessica Cattelino
Chair
UCLA Academic Senate

Encl.

Cc: Andrea Kasko, Vice Chair/Chair Elect, UCLA Academic Senate
Shane White, Immediate Past Chair, UCLA Academic Senate
April de Stefano, Executive Director, UCLA Academic Senate

May 26, 2022

Jessica Cattelino, Chair
Academic Senate

Re: Systemwide Review: Report of the Negotiated Salary Trial Program Phase 2 Taskforce

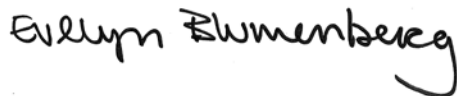
Dear Chair Cattelino,

At its meeting on May 16, 2022, the Council on Planning and Budget (CPB) reviewed and discussed the Report of the Negotiated Salary Trial Program Phase 2 Taskforce.

Members expressed that the report is, at times, opaque in terms of the issues and the details associated with the program. Moreover, they did not think that the report provides adequate transparency and oversight on the process. They also were concerned that the program, although small, may have negative effects on pay scales and faculty lines. Members from the David Geffen School of Medicine provided information and commented on the health compensation plan (which also includes a negotiated component) which they believe is not equitable.

If you have any questions for us, please do not hesitate to contact me at eb Blumenb@ucla.edu or via the Council's analyst, Elizabeth Feller, at efeller@senate.ucla.edu.

Sincerely,



Evelyn Blumenberg, Chair
Council on Planning and Budget

cc: Andrea Kasko, Vice Chair/Chair-Elect, Academic Senate
Shane White, Immediate Past Chair, Academic Senate
April de Stefano, Executive Director, Academic Senate
Elizabeth Feller, Assistant Director, Academic Senate
Members of the Council on Planning and Budget

May 25, 2022

Jessica Cattelino, Chair
Academic Senate

Re: (Systemwide Senate Review) Report of the Negotiated Salary Trial Program Phase 2 Taskforce

Dear Chair Cattelino,

At its meeting on May 17, 2022, the Council on Academic Personnel (CAP) had an opportunity to review the Report of the Negotiated Salary Trial Program (NSTP) Phase 2 Taskforce. Members expressed concerns about potential equity issues arising from NSTP, and found the report insufficient in addressing their concerns. Members requested for specific examples to be included in subsequent reports, to enhance faculty's understanding of NSTP.

If you have any questions for us, please do not hesitate to contact me at csternin@ucla.edu or via the Council's analyst, Lori Ishimaru, at lishimaru@senate.ucla.edu.

Sincerely,



Catia Sternini, Chair
Council on Academic Personnel

Enclosure

cc: Andrea Kasko, Vice Chair/Chair-Elect, Academic Senate
Shane White, Immediate Past Chair, Academic Senate
April de Stefano, Executive Director, Academic Senate
Lori Ishimaru, Senior Policy Analyst, Academic Senate
Members of the Council on Academic Personnel



OFFICE OF THE ACADEMIC SENATE
LEROY WESTERLING, CHAIR, ACADEMIC SENATE
senatechair@ucmerced.edu

UNIVERSITY OF CALIFORNIA, MERCED
5200 NORTH LAKE ROAD
MERCED, CA 95343

July 13, 2022

To: Robert Horwitz, Chair, Academic Council

Re: [Report from the Negotiated Salary Trial Program Phase 2 Taskforce](#)

The report from the Negotiated Salary Trial Program (NSTP) Phase 2 Taskforce was distributed for comment to the Merced Division Senate Committees and the School Executive Committees. The following committees offered comments for consideration. Their comments are appended to this memo.

- Committee on Academic Planning and Resource Allocation (CAPRA)
- Committee on Research (CoR)
- Committee on Faculty Welfare and Academic Freedom (FWAF)
- Graduate Council (GC)

CAPRA was unclear how this program improves on the Step Merit System already established in the APM. The program could exacerbate inequities and problems of favoritism within departments creating more hostility. It is important for the UC System to establish flexibility for Deans of Colleges and Schools to be able to make counter-offers when a UC faculty member receives an outside offer. It seems out of equity concerns that the NSTP should be reserved strictly for faculty that have offers from departments that are equivalent or higher ranked than their current department. High achieving faculty should also be able to accelerate within the step merit system when they have extraordinary achievements. CAPRA agreed that the report lacks information and therefore cannot appropriately assess the NSTP at this time.

CoR noted that the NSTP attempts to test an extension of faculty salary increase policies that are normal to the health sciences compensation plans to other academic disciplines at UC. Such potential salary increases are considered necessary for recruiting and retaining top-notch faculty, especially in high-paying fields where it is difficult for UC to maintain competitive pay scales. These negotiated salary plans appear to be highly valued by participating faculty, and may add research value, with some dissent from non-participating faculty. CoR believed that such plans seem justified with the intention of keeping UC highly competitive, as long as equality concerns and restrictions, as discussed and recommended by the Taskforce, are built in and maintained in any future policies.

FWAF noted that though they found no hard evidence of its ability to achieve its purpose, the Taskforce recommends making a policy of this sort, The Negotiated Salary Program, permanent as a way to free up

the University to be competitive in the academic and industry markets. They qualify their recommendation by indicating that it shouldn't be an excuse not to seek other ways to increase the normal salary of all faculty and to improve salary equity of those salaries. They also recommend that the program should be set up in ways so that it won't incentivize faculty to reduce their teaching and mentoring load. However, FWAF noted they do not express concern about how it might reduce incentives to doing one's fair share of service; FWAF recommended they add that if they implement the policy. While this policy would perhaps attract those who need this form of incentive to carry on their research for the UC, FWAF asserted that it runs at cross-purposes to salary equity. The tradeoff appears to be between (a) the benefit of retaining and recruiting talented researchers and getting more money into their hands and (b) the opportunity cost of not being able to use those funds for other purposes and the injustice and harm to morale caused by a loss of salary equity. FWAF acknowledged that the UC has always had ways, independent of the proposed NSTP, to increase salaries to recruit and retain those faculty who bring in grants with overhead. And FWAF believes that even without the NSTP the UC has and can still attract and retain highly talented researchers, many of whom will be of equal or greater talent to those we would lose by not adopting this policy. When forced to choose between them, FWAF endorsed the values of justice, morale, and collegiality over that of giving the select few more money so they will stay on at the UC. FWAF therefore opposed the proposed NSTP and instead recommend that the UC focus on increasing the salaries of all and increasing salary equity.

GC appreciated the balanced considerations outlined in Section 4. Recommendations (page 18) of the report. Overall, the Taskforce members support the Negotiated Salary Program for further adoption systemwide. Members of GC agreed with the general assessment and recommendations of the Phase 2 Trial Program presented in the Taskforce report.

Divisional Council reviewed the committees' comments via email and supports their various points and suggestions.

The Merced Division thanks you for the opportunity to comment on this report.

CC: Divisional Council
Monica Lin, Executive Director, Systemwide Academic Senate
Michael LaBriola, Assistant Director, Systemwide Academic Senate
Senate Office, UCM



ACADEMIC SENATE, MERCED DIVISION
COMMITTEE ON ACADEMIC PLANNING AND RESOURCE ALLOCATION
KEVIN MITCHELL, CHAIR
kmitchell@ucmerced.edu

UNIVERSITY OF CALIFORNIA, MERCED
5200 NORTH LAKE ROAD
MERCED, CA 95343

May 25, 2022

To: LeRoy Westerling, Chair, Division Council

From: Kevin Mitchell, Chair, Committee on Academic Planning and Resource Allocation (CAPRA)

Re: Report from the Negotiated Salary Trial Program Phase 2 Taskforce

Between, 2012 and 2021, a program on six UC campuses (Davis, Irvine, Los Angeles, Riverside, San Diego, and Santa Cruz) piloted the Negotiated Salaries program with a limited number of faculty. Faculty can enter in negotiations with their departments to adjust their salaries to attempt to reach current market rates. The program is popular for participants based on survey data of the population of participating academic units. A very low percentage of non-participants answered the survey (12%) and over half of non-participants had negative or neutral views of the program.

It is not clear how this program improves on the Step Merit System already established in the APM. The program could exacerbate inequities and problems of favoritism within departments creating more hostility. It is important for the UC System to establish flexibility for Deans of Colleges and Schools to be able to make counter-offers when a UC faculty member receives an outside offer. It seems out of equity concerns that the Negotiated Salary Program should be reserved strictly for faculty that have offers from departments that are equivalent or higher ranked than their current department. High achieving faculty should also be able to accelerate within the step merit system when they have extraordinary achievements.

CAPRA members agreed that the report lacks information and therefore we cannot appropriately assess the NSTP at this time.

We appreciate the opportunity to provide comments.

cc: Senate Office

UNIVERSITY OF CALIFORNIA, MERCED

BERKELEY • DAVIS • IRVINE • LOS ANGELES • MERCED • RIVERSIDE • SAN DIEGO • SAN FRANCISCO



SANTA BARBARA • SANTA CRUZ

ACADEMIC SENATE, MERCED DIVISION
COMMITTEE ON RESEARCH (COR)
JASON SEXTON, CHAIR

UNIVERSITY OF CALIFORNIA, MERCED
5200 NORTH LAKE ROAD
MERCED, CA 95343

May 25, 2022

To: LeRoy Westerling, Senate Chair

From: Jason Sexton, Chair, Committee on Research (CoR) *J. P. ft*

Re: Negotiated Salary Trial Program Phase 2 Taskforce Report

CoR discussed the taskforce report at its May 2, 2022 meeting. The Negotiated Salary Trial Program attempts to test an extension of faculty salary increase policies that are normal to the health sciences compensation plans (HSCP) to other academic disciplines at UC. Such potential salary increases are considered necessary for recruiting and retaining top-notch faculty, especially in high-paying fields where it is difficult for UC to maintain competitive pay scales. These negotiated salary plans appear to be highly valued by participating faculty, and may add research value, with some dissent from non-participating faculty. Such plans seem justified with the intention of keeping UC highly competitive, as long as equality concerns and restrictions, as discussed and recommended by the taskforce, are built in and maintained in any future policies.

We appreciate the opportunity to review.

cc: Senate Office



ACADEMIC SENATE, MERCED DIVISION
COMMITTEE ON FACULTY WELFARE AND ACADEMIC FREEDOM
DAVID JENNINGS, CHAIR
djennings3@ucmerced.edu

UNIVERSITY OF CALIFORNIA, MERCED
5200 NORTH LAKE ROAD
MERCED, CA 95343

May 27, 2022

To: LeRoy Westerling, Chair, Division Council

From: David Jennings, Chair, Committee on Faculty Welfare and Academic Freedom (FWAF)

Re: Report from the Negotiated Salary Trial Program Phase 2 Taskforce

FWAF reviewed the report from the Negotiated Salary Trial Program Phase 2 Taskforce (NSTP). NSTP is an effort to try out a mode of increasing compensation for certain faculty, especially those in grant-supporting STEM fields. The goal of the program is to improve recruitment and retention of top-quality scholars, who purportedly would otherwise be motivated to work elsewhere, by increasing their salaries beyond what is possible through on-scale and off-scale salaries. This above-scale funding cannot come from ordinary state-funds allotted to the University but only from federal or state grants and contracts, Endowments, Gifts, and monies from revenue-granting programs, and so on.

The Taskforce was unable to discover data that showed the program did indeed improve the University's ability to recruit and retain the types of faculty targeted by this policy. However, they surveyed participants, administrators, and non-participants. The survey data suggested that the former two groups approve of the program, and some administrators believe it's a critical tool for recruitment and retention. Some non-participants were critical of the program.

Though they found no hard evidence of its ability to achieve its purpose, the Taskforce recommends making a policy of this sort, The Negotiated Salary Program (NSP), permanent as a way to free up the University to be competitive in the academic and industry markets. They qualify their recommendation by indicating that it shouldn't be an excuse not to seek other ways to increase the normal salary of all faculty and to improve salary equity of those salaries. They also recommend that the program should be set up in ways so that it won't incentivize faculty to reduce their teaching and mentoring load. However, FWAF notes they do not express concern about how it might reduce incentives to doing one's fair share of service; we recommend they add that if they implement the policy.

While this policy would perhaps attract those who need this form of incentive to carry on their research for the UC, it runs at cross-purposes to salary equity. The tradeoff appears to be between (a) the benefit of retaining and recruiting talented researchers and getting more money into their hands and (b) the

opportunity cost of not being able to use those funds for other purposes and the injustice and harm to morale caused by a loss of salary equity.

FWAF acknowledges that the UC has always had ways, independent of the proposed NSP, to increase salaries to recruit and retain those faculty who bring in grants with overhead. And we believe that even without the NSP the UC has and can still attract and retain highly talented researchers, many of whom will be of equal or greater talent to those we would lose by not adopting this policy. When forced to choose between them, FWAF endorses the values of justice, morale, and collegiality over that of giving the select few more money so they will stay on at the UC. So, we oppose the proposed NSP and instead recommend that the UC focus on increasing the salaries of all and increasing salary equity.

We appreciate the opportunity to opine.

cc: Senate Office



OFFICE OF THE ACADEMIC SENATE
ERIN HESTIR, CHAIR, GRADUATE COUNCIL
ehestir@ucmerced.edu

UNIVERSITY OF CALIFORNIA, MERCED
5200 NORTH LAKE ROAD
MERCED, CA 95343

MAY 27, 2022

TO: LEROY WESTERLING, CHAIR, ACADEMIC SENATE

FROM: ERIN HESTIR, CHAIR, GRADUATE COUNCIL (GC)

RE: [REPORT OF THE NEGOTIATED SALARY TRIAL PROGRAM PHASE 2 TASKFORCE](#)

Graduate Council (GC) has reviewed the Report of the Negotiated Salary Trial Program Phase 2 Taskforce and offer the following comments:

GC appreciates the balanced considerations outlined in **Section 4. Recommendations** (page 18) of the report.

Overall, the Taskforce members support the Negotiated Salary Program (NSP) for further adoption systemwide. Members of GC agree with the general assessment and recommendations of the Phase 2 Trial Program presented in the Taskforce report.

Graduate Council appreciates the opportunity to opine.

CC: Graduate Council
Senate Office



CHAIR, ACADEMIC SENATE
RIVERSIDE DIVISION
UNIVERSITY OFFICE BUILDING, RM 225

JASON STAJICH
PROFESSOR OF BIOINFORMATICS
RIVERSIDE, CA 92521-0217
TEL: (951) 827-6193
EMAIL: JASON.STAJICH@UCR.EDU

July 6, 2022

Robert Horwitz, Chair, Academic Council
1111 Franklin Street, 12th Floor
Oakland, CA 94607-5200

RE: Systemwide Review - Report of the Negotiated Salary Trial Program Phase 2 Taskforce

Dear Robert,

The Riverside Executive Council had an energetic discussion about the subject report, as well as the program during our June 27, 2022 meeting. Riverside Council's comments are below and attached is feedback from tasked local committees that responded to the call for review.

Some Executive Council members commented that perhaps the report is perhaps biased towards STEM faculty that are likely to have the federal grants, and against USDA or non-federal funded faculty and that when this topic is revisited in 5-7 years the make-up of who sits on the taskforce may correct this.

Other members were concerned about equity and transparency around funding sources and streams for self-supporting professional degrees being used to support NSTP. A member commented that for this program, state appropriation funding should not be allowed and there should be appropriate safeguards to oversee this in place. Another member commented that they do not favor the aspect of the program where the University is responsible for lapses in funding should a grant be overspent on NSTP.

The UCR Executive Council is cautious about the use of this program to supplement funding when it may impact the support of graduate or undergraduate students performing research.

Sincerely yours,

/s/Jason

Jason Stajich
Professor of Bioinformatics and Chair of the Riverside Division

CC: Monica Lin, Executive Director of the Academic Senate
Cherysa Cortez, Executive Director of UCR Academic Senate Office



Academic Senate

COMMITTEE ON ACADEMIC FREEDOM

May 18, 2022

To: Jason Stajich, Chair
Riverside Division Academic Senate

From: Ivy Zhang, Chair
Committee on Academic Freedom

Re: Report from the Negotiated Salary Trial Program Phase 2 Taskforce


The Committee on Academic Freedom reviewed the report from the Negotiated Salary Trial Program Phase 2 Taskforce and did not find any significant concerns related to the Committee's charge of academic freedom.



COMMITTEE ON ACADEMIC PERSONNEL

May 10, 2022

To: Jason Stajich
Chair, Riverside Division Academic Senate

Fr: Sean Cutler 
Chair, Committee on Academic Personnel

Re: [Systemwide Review] Report Review: Report of the Negotiated Salary Trial Program
Phase 2 Taskforce

CAP discussed the Report of the Negotiated Salary Trial Program (NSTP) Phase 2 Taskforce and voted unanimously (+10-0-0) in support of its recommendations to institutionalize the program in policy and create a permanent negotiated salary plan. CAP also noted that the negotiated salary program has been an effective tool in the recruitment and retention of high-caliber faculty at our campus since UCR participated in the NSTP since July 1, 2018.

COMMITTEE ON DIVERSITY, EQUITY, & INCLUSION

May 24, 2022

To: Jason Stajich
Riverside Division Academic Senate

From: Katherine Stavropoulos, Chair
Committee on Diversity, Equity, & Inclusion

Re: [Systemwide Review] Report Review: Report of the Negotiated Salary Trial
Program Phase 2 Taskforce

The DEI committee reviewed the Report of the Negotiated Salary Trial Program Phase 2 Taskforce. The committee has some concerns regarding the implications of this program on equity. The program generally seems to give advantage to faculty who already have a good salary and are well-connected. This might have the side effect of increasing the salary gap rather than reducing it.

If this program moves forward, it will be crucial to keep equity concerns in mind and to increase awareness of this program to all faculty members (including more junior faculty who may not be aware). For future review, it would also be helpful to know if there are many faculty being awarded eligible grants who are not participating in the program. If there are, the review committee should figure out why.

Another concern of some committee members relates to equity across disciplines. This program appears to selectively benefit faculty in certain disciplines (e.g. those that are more competitive for NIH/NSF funding) than others.




Academic Senate

COMMITTEE ON FACULTY WELFARE

June 15, 2022

To: Jason Stajich
Riverside Division Academic Senate

Fr: John Heraty, Chair 
Committee on Faculty Welfare

Re: [Systemwide Review] Report Review: Report of the Negotiated Salary Trial Program
Phase 2 Taskforce

Faculty Welfare reviewed the NSTP policy at their June 14, 2022 meeting. Faculty were generally supportive of the program but did reflect some concerns.

Overall, this is a very thorough document that covers the issues and reasons for salary enhancement. If faculty can raise the additional funds, then it is within their right to do so. As a retention tool for those faculty then it is appropriate. It is likely not a recruitment tool other than offering the future possibility of participating in the NSTP. Non-NSTP faculty are less supportive and will likely feel undervalued in the system if they are not part of the same funding streams that would support such income (i.e. not NSF). There is general support for the program, certainly by participating faculty and administrators trying to retain those excellent faculty. A few points follow for clarification or consideration.

- a) The NSTP will likely have limited effect on equity adjustments for faculty across a college or campus. The university should be more aggressive about raising faculty salaries across the board to be competitive.
- b) It needs to be clear that no resources (especially state funds) beyond the targeted fund sources should be used to cover shortfalls in NS funding. If a grant or fund source is withdrawn, the salary should be renegotiated to the basic UC salary. Note that in the Health Sciences, many faculty are fully supported by grant funds and need to be covered after a loss. NSTP faculty always have a guaranteed UC base income.
- c) Funding agencies should be provided clarity that grant or gift funds are being directed to NSTP compensation.

- d) NSTP faculty should provide an agreement that funds are not being directed away from graduate student funding.
- e) The use of "*professional degree fees, self- supporting degree fees*" to cover salary should be clarified and monitored. Few faculty are using this support which seems unusual; however, it is unclear how professional school base salaries are currently covered. Are the base salary differences currently covered by professional degree fees? If so, what is the relevance of the shift to NS salary support. Any shift in salary support from student fees should be closely monitored.
- f) Are all faculty given the right to participate, or is this College or Campus dependent? Apparently, there is also a requirement to have at least a 50% IR appointment, which directly excludes a proportion of faculty, especially those involved in agricultural research.
- g) We strongly recommend that the program be reviewed every 5-7 years for impact on NSTP faculty, non-NSTP faculty and graduate student enrollment. Future reviews should contain a more fair balance of NSTP and non-NSTP faculty in the review process.



Academic Senate

PLANNING & BUDGET

May 26, 2022

To: Jason Stajich, Chair
Riverside Division

From: Dana Simmons, Chair
Planning & Budget

Re: [Systemwide Review] Report Review: Report of the Negotiated Salary Trial
Program Phase 2 Taskforce

The committee reviewed the Report of the Negotiated Salary Trial Program Phase 2 Taskforce at their May 24, 2022 meeting and is overall supportive of the program. However, the committee does have concerns regarding the Taskforce's suggestion to allow use of some directly appropriated state funds toward this program. State funds should not be used for this purpose.



May 20, 2022

To: Jason Stajich, Ph.D., Chair, Academic Senate, UCR Division

From: Declan McCole, Ph.D., Chair, Faculty Executive Committee, UCR School of Medicine

Subject: Response to [Systemwide Review] Report Review: *Report of the Negotiated Salary Trial Program Phase 2 Taskforce*

Dear Jason,

The SOM Faculty Executive Committee has reviewed the report of the Negotiated Salary Trial Program Phase 2 Taskforce. The Committee offered the following feedback for consideration.

While we are not affected by this program, we do appreciate and welcome the availability of this program for non-HSCP faculty to promote retention and recruitment at UCR. SOM FEC had one question regarding Section 4 A (page 23 / page 18 of 26 within the PDF). Will there be safeguards to restrict either systemwide, or individual campus, administrators from using a NSP to circumvent/avoid faculty salary issues as described in Section 4 A, bullet 1:

- *Not be seen as an excuse by the Office of the President or the Regents to avoid addressing salary scales that continue to be non-competitive with the institutions with which the campuses compete for faculty talent. The citizens of California deserve access to higher education provided by the best faculty. Moreover, given the spillovers that the University creates in terms of the innovations, entrepreneurship, and an educated workforce that make the California economy the envy of the world, it is essential that the University of California remain competitive in all areas of scholarship*

The current phrasing is very weak with respect to preventing this concern from being realized.

Yours sincerely,

A handwritten signature in cursive script that reads "Declan McCole".

Declan F. McCole, Ph.D.
Chair, Faculty Executive Committee School of Medicine



OFFICE OF THE ACADEMIC SENATE

9500 GILMAN DRIVE
LA JOLLA, CALIFORNIA 92093-0002
TELEPHONE: (858) 534-3640
FAX: (858) 534-4528

June 22, 2022

Professor Robert Horwitz
Chair, Academic Senate
University of California
VIA EMAIL

Re: Divisional Review of the Negotiated Salary Trial Program Phase 2 Taskforce Report

Dear Professor Horwitz,

The Negotiated Salary Trial Program (NSTP) Phase 2 Taskforce Report was distributed to San Diego Divisional Senate standing committees and discussed at the June 13, 2022 Divisional Senate Council meeting. Senate Council had no objections to the Taskforce recommendations, and offered the following comments for consideration.

Council members noted many positive aspects of the NSTP program: it is a helpful tool in faculty retention and recruitment and it has allowed for the expansion of the research enterprise in participating departments by incentivizing faculty to increase engagement in sponsored research. However, some Council members were concerned that faculty in areas such as the Arts & Humanities and Social Sciences rarely have the opportunity to participate in the program since these fields typically do not offer as many grant opportunities. The salary inequities between those disciplines and research-heavy fields, such as engineering or STEM, continue to grow. Council was united in its concern about this inequity and urges further consideration of ways to address it.

That said, some Council members noted that salary inequities already exist regardless of the NSTP program. One member noted that because inequities are probably inevitable, it is preferable for faculty to be able use the external funds they bring in themselves rather than be supported by the institution's funds. In relation to the NSTP funding source, some Council members disagreed with the proposed expansion of the allowable funds to include Dean's discretionary funds, even if they are to be used for recruitment or retention. Council felt that that institutional money, 19900 funds or otherwise, should never be used for NSTP, and that the program should not be used as a substitute for longer-term FTE resourcing. Council members were also concerned that some faculty may be abusing the program by shifting their grant support from graduate students to their own salary, as illustrated by at least one faculty survey respondent. Council encourages further data collection and analysis to ensure that the program is not harming graduate student funding.

Council was encouraged by the preliminary evidence of gender equity among users of the program, and that some underrepresented minorities have been able to utilize the program. However, Council encourages further plans be developed to improve other racial/ethnic utilization rates as well as plans to expand the program to include other academic series, campuses, and departments. Some Council members felt other academic series, including non-Senate series such as the Research series, should be allowed to participate in the program if they have enough funding to support their participation. Council also noted that it would have been helpful to see a comparative study between the campuses that are

currently participating and those that are not before deciding to extend the trial program, and suggested that a study could even be done now before deciding to institutionalize the program. In addition, there is an implication in the report that the NSTP program would be available to all UC campuses, but it did not give any details on whether or not a campus has the choice to participate or if it will be required.

The responses from the Divisional Committee on Academic Personnel, the Committee on Diversity and Equity, the Committee on Faculty Welfare, and the Committee on Research are attached.

Sincerely,

A handwritten signature in black ink, appearing to read "Tara Javidi", with a long horizontal flourish extending to the right.

Tara Javidi
Chair
San Diego Divisional Academic Senate

Attachments

cc: Nancy Postero, Vice Chair, San Diego Divisional Academic Senate
Lori Hullings, Executive Director, San Diego Divisional Academic Senate
Hilary Baxter, Executive Director, UC Systemwide Academic Senate
Monica Lin, Executive Director, UC Systemwide Academic Senate

June 01, 2022

IN CONFIDENCE

TARA JAVIDI

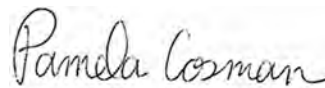
Academic Senate, San Diego Division

SUBJECT: Negotiated Salary Trial Program Phase 2 Taskforce Report

The Committee on Academic Personnel (CAP) appreciates the opportunity to provide comments on the Negotiated Salary Trial Program Phase 2 Taskforce Report. CAP discussed the report at its May 25, 2022 meeting. CAP has no objections to the taskforce's recommendation to institutionalize the program in policy and create a permanent negotiated salary plan.

CAP members commented that the program provides flexibility to faculty in increasing their salary without undergoing academic review and likely serves a useful role in faculty retention and as an attractive recruitment incentive. Several CAP members, while agreeing with the continuation of the program, opined that faculty in areas such as the Arts, Humanities, and Social Sciences rarely have the opportunity to participate in the program considering that these fields traditionally do not offer as many grant opportunities. Committee members were concerned that this would create even greater salary equity issues between the STEM fields and the Arts/Humanities/Social Science fields, for which the committee is already concerned. CAP members hope that the University employs other strategies to help mitigate the ever-growing salary gap among faculty.

Some CAP members were particularly concerned that some faculty may be abusing the program to shift their grant support from graduate students to their own salary as illustrated by at least one faculty survey respondent. CAP hopes that further data analysis on this issue is done to determine if the program is harming graduate student funding. It would be useful to know, for example, for those faculty who participate in the program, whether the students advised by them have an increased reliance on TA positions as opposed to GSR positions when the faculty member participates in the salary program.



Pamela Cosman, Chair
Committee on Academic Personnel

Cc: N.Postero
L. Hullings
J. Lucius

May 27, 2022

TARA JAVIDI, CHAIR
Academic Senate, San Diego Division

SUBJECT: Negotiated Salary Trial Program Phase Two Taskforce Report

The Committee on Diversity and Equity (CDE) considered the Systemwide Report from the Negotiated Salary Trial Program (NSTP) Phase 2 Taskforce at its meeting on May 20, 2022.

Broadly the Committee found that the NSTP serves an important role, in providing a flexible and immediately available way for faculty to increase their salary (and group funding support), which may aid in the short term with both recruitment and retention of faculty with compelling offers elsewhere. The case for this type of a tool is straightforward from the Committee's perspective, and eliminating the NSTP would be disruptive and counter to many of the recruitment and retention diversity and equity objectives of the university. However, the Committee shared the view expressed in the report that this tool cannot be viewed as substituting for longer-term FTE resourcing that enables competitive offers across the board.

The Committee was encouraged by the preliminary evidence of gender-equity in use of the program (though potential disparities in dollar amounts are concerning). CDE was also encouraged that Asian & Asian American faculty have been able to utilize the program above their representation in participating units. The committee requests that specific plans be put in place to improve other racial/ethnic usage equity (the report notes that African/African American faculty, Chicanx/Latinx/Hispanic, and White faculty have utilization rates below their representation in participating units).

The committee commends the Task Force Report for addressing the different dimensions of equity that need to be considered in deciding to adopt this program into policy. Namely, as the program expands:

- All campuses and departments should have access to the program, and mentoring/orientation to the UC should include awareness of this program. CDE suggests that example case studies for different types of faculty would be helpful in illustrating how the program would work to faculty in different fields.
- Although the data collected during the trial phase was perhaps burdensome, it was instrumental in understanding the usage of the NSTP and potential equity issues. As such, CDE recommends that systematic data collection remain, with clear guidelines for who will provide such data and how.
- CDE shared the concerns that the report (or the trial period itself) did not generate sufficient data (or include sufficient analysis) to understand whether the NSTP is in fact having a positive impact on recruitment and retention or detrimental impacts on equity, faculty teaching effort, or graduate student support. The committee suggests a prospective evaluation effort be implemented at the start of the next phase (whether trial or scale-up to policy).
- Finally, CDE agreed that the extension of the trial program and expansion to other campuses without a rescindment plan does make it seem like a fait accompli. As such if NSTP becomes

policy, the Taskforce should consider whether any such conditions or limitations might be relevant.

Sincerely,

Jennifer Burney, Chair
Committee on Diversity & Equity

cc: N. Postero

May 31, 2022

TARA JAVIDI, CHAIR
Academic Senate, San Diego Division

SUBJECT: Negotiated Salary Trial Program Phase 2 Taskforce Report

The Committee on Faculty Welfare considered the Report from the Negotiated Salary Trial Program (NSTP) Phase 2 Taskforce at its May 18, 2022 meeting. The committee endorsed the continuation of the program.

The committee noted that the NSTP has an overall low participation rate (6% of all faculty across campuses), but at UCSD it is utilized at 12% (or 18% among STEM and public health faculty). It will indeed be disruptive to UCSD if the program is discontinued. The Taskforce report has a good list of recommendations on what NSP is not. The committee also supports the Taskforce's point to encourage faculty to maximize summer salary first before using the NSTP program to reduce burden on the administrative staff.

However, we would caution against the Taskforce's suggestions on ending some of the reporting requirements to reduce administrative burden. It is reasonable to drop the collection of participant data on rank, step, ethnicity, gender as those can be gathered from UCPath, but the other elements to ensure participant accountability such as teaching load, lab support, etc. are still worthwhile to monitor. The fact that participants need to report on accountability criteria also serves as a reminder that NSTP should not be abused to increase faculty compensation at the expense of lab support or teaching duties.

Sincerely,

Shantanu Sinha, Chair
Committee on Faculty Welfare

cc: N. Postero

June 6, 2022

TARA JAVIDI, Chair
Academic Senate, San Diego Division

SUBJECT: Review of the Negotiated Salary Trial Program Phase 2 Taskforce Report

The Committee on Research (COR) discussed the system-wide review of the Negotiated Salary Trial Program (NSTP) Phase 2 Taskforce Report at their May 16, 2022 meeting. The Committee is supportive of the Taskforce's recommendation to continue the NSTP with several needed improvements as outlined in the report. While experience with the NSTP has shown positive outcomes in expanding the research enterprise in participating departments by incentivizing faculty to increase engagement in sponsored research, it raises issues of inequity across departments due to lack of access to sponsored research funding in certain disciplines, potentially widening systematic gaps in faculty pay. The data in the report also underscores existing inequities in faculty compensation by gender and ethnic background, although the NSTP seems to have benefited faculty from all backgrounds uniformly.

Sincerely yours,

Gert Cauwenberghs, Chair
Committee on Research

cc: S. Golden
L. Hullings
J. Lucius
N. Postero



July 15, 2022

To: Robert Horwitz, Chair
Academic Senate

From: Susannah Scott, Chair
Santa Barbara Division 

Re: Systemwide Review of Report of the Negotiated Salary Trial Program Phase Two Taskforce

The Santa Barbara Division distributed the proposed revisions to the Council on Planning and Budget (CPB), Committee on Academic Personnel (CAP), Committee on Research Policy and Procedures (CRPP), Council on Faculty Welfare, Academic Freedom, and Awards (CFW), the Committee on Diversity and Equity (CDE), and the Faculty Executive Committees (FECs) for the College of Letters and Science (L&S), College of Engineering (ENGR), Bren School (BREN), the College of Creative Studies (CCS), and the Gevirtz Graduate School of Education (GGSE). BREN, CCS, and GGSE opted not to opine.

The Negotiated Salary Program Phase Two Task Force makes recommendations for improvement and expansion of the Negotiated Salary Trial Program (NSTP), and recommends making the program permanent and available to all campuses for use. To be clear, the NSTP is not currently in use on our campus. The Santa Barbara Division has significant concerns about the program that prevent it from offering its full support. The main points are summarized below, with more details in the attached reviewing group responses.

Overall reactions to the program were mixed. Some groups recognized the program as a potential tool for faculty recruitment, retention, and enhancement of the University's competitiveness, and a way to relieve pressure on the UC retirement system. These groups are concentrated in STEM disciplines where faculty may be more likely to benefit financially from the program. However, there are many concerns about the narrow (and possibly uncertain) benefits of the program, as well as the associated risks and costs. Indeed, some groups found reports of benefits to be not entirely convincing, since they are self-reported by those who benefit financially from the program. Likewise, the costs (e.g., to teaching and service) may also be minimized by being self-reported by program beneficiaries.

One of the Task Force's primary findings was that discontinuing the trial was too disruptive to consider. This raises the question of whether the NSTP was ever a meaningful trial program, and why no plans were made for an eventual phase-out if the trial were not deemed successful.

The apparent inability to phase-out a trial program is not a compelling rationale for its implementation on a permanent basis; the fate of the program must be evaluated on its merits.

There was some concern that the proposed NSP, which privatizes grant fundraising, is not consonant with the mission of a public university. Several groups are concerned about the incentive it creates for faculty to channel their research toward areas that are more personally lucrative, rather than for their “intrinsic importance” or benefit to the public. It may also sway faculty searches towards research fields more likely to benefit from the program. CPB observed that corporate funds would be the most likely source for NSP, which have the potential for “serious conflicts of interest (either in fact or appearance), should faculty solicit or be awarded funding from corporations or other funding sources that benefit from or advocate for particular research outcomes.”

CAP expressed strong concerns that the program would undermine UC’s existing merit system. Several groups share similar concerns about whether the program will effectively serve as a long-term excuse for the State and/or the UC not to address the inadequacy of current faculty salaries. We urge the University not to ignore this broader issue.

A widely expressed opinion is that the NSP would exacerbate existing faculty salary inequities between different disciplines and impact efforts to improve DEI in ways that are undesirable in terms of the university’s mission and perceptions of fairness. It is unclear if a mechanism is in place to monitor inequities in faculty salaries that would inevitably arise as a result of this program, and who would be the responsible parties to recommend or mandate responses.


Finally, the reviewing groups also raised concerns about the administrative structures and associated costs of the program, which did not seem to have received much attention in the report. Given the severe staffing constraints faced by the campuses, this issue should be prioritized.

We appreciate the opportunity to comment.

UNIVERSITY OF CALIFORNIA
ACADEMIC SENATE
SANTA BARBARA DIVISION
Council on Planning & Budget

July 7, 2022

To: Susannah Scott, Divisional Chair
UCSB Academic Senate

From: Rene Weber, Chair 
Council on Planning & Budget

Re: Negotiated Salary Trial Program Phase 2 Taskforce

The Council on Planning & Budget (CPB) has reviewed the report of the Negotiated Salary Trial Program (NSTP) Phase 2 Taskforce. The report proposes principles for making the program permanent, becoming a Negotiated Salary Program (NSP), and implementing it on all UC campuses. It would be governed by draft APM section 668, included as an appendix to the report.

The principal objectives of the NSP are to aid in faculty recruitment and retention and to incentivize faculty to seek more extramural funds. It envisions that faculty who attract significant eligible funding and are already drawing three months of summer funding will be able to negotiate a further temporary salary increase out of the remaining funds. The report evaluates the NSTP with respect to its effectiveness, finding that it was generally viewed as helpful for retention and recruitment; probably increased fundraising and graduate mentoring; and did not decrease teaching effort. It considers the primary potential costs of the program to be an increase in “salary inequity”, and some tradeoffs regarding the university’s mission. The report treats increases in salary inequity as unavoidable and deems that the program serves the university’s mission, narrowly defined.

CPB concludes, on the basis of the available information, that the benefits of the NSP to UCSB would probably be smaller than its costs. Our concerns, some of which are specific to UCSB, are as follows:

1. The financial benefits for UCSB could be small—even negative. The program will only increase net campus revenue if attracting a dollar of extramural funding costs less than a dollar in additional costs—a condition that available research indicates is not assured.
2. Evidence in the report of benefits for recruitment and retention is not entirely convincing, as it relies on self-reporting by administrators who work with faculty who benefit financially from the program.

3. The program would likely incentivize a shift in research effort from public research priorities towards corporate ones, and detract from basic scientific research. Grants from the NSF and most non-profit research foundations would not cover negotiated salaries, so corporate funds are the likeliest source. Incentives to seek external funding may be strongly associated with serious conflicts of interest (in fact or in appearance) should faculty solicit or be awarded funding from corporations or other funding sources that benefit from or advocate for particular research outcomes.
4. Not many UCSB faculty are likely to benefit from the program. Benefits would (and should) only be available to those faculty who already receive three months of summer funding. This would exclude the vast majority of UCSB faculty. Given this limited applicability of the program to our campus, CPB feels that any potential benefits are outweighed by the risks identified in this memo.
5. Privatizing the gains from fundraising could have serious long-term consequences for campus culture, encouraging faculty to:
 - a. view research as an opportunity for individual rather than collective benefit.
 - b. value knowledge whose gains can be privately captured over knowledge that is publicly useful.
 - c. prioritize projects likely to yield negotiated salaries over those likely to fund graduate and postdoctoral research (the report's finding that participation reportedly did not reduce mentoring *on average* does not mean that one can be sanguine about this going forward).
 - d. reduce teaching effort (ditto—evidence that participants did not reduce teaching output on average does not indicate that one can be sanguine about this going forward).
6. The program could facilitate the recruitment and retention of faculty whose preferences skew towards private gain rather than contributions to the campus mission.
7. UCSB already provides faculty who are able to attract private funding with ample incentives to do so, via course buyouts, recognition during merits and promotions, summer funding, and a generous allowance for outside compensated activities. CPB does not see the need for initiatives which might distort the vibrant research culture that already exists on our campus. In a nutshell, the program could very well turn out to be ineffective, unnecessary, and come at a significant cost to campus culture and intellectual diversity. It should be clear from the above that CPB disagrees with the narrow and strictly quantitative vision of the campus's mission presented in the report, wherein bringing in more extramural funding and supporting more graduate students without teaching fewer classes is sufficient

evidence of benefit. A public research university must also be attentive to what it does, who it does it for, and whether it does it well.

The NSP proposal provides a framework and set of principles and guidelines for implementation and asks the campuses to fill in the details, keeping local conditions in mind. Draft APM-668 gives chancellors the authority to determine whether their campus will participate in the NSP after consultation with the Academic Senate and the EVC. If the campus chooses to proceed with the NSP over these concerns, CPB strongly advises the following course of action:

1. Campus administration should seek extensive input from the Academic Senate on implementation arrangements, and Senate approval prior to implementation. The need for this is underscored by the report's assertion that the NSTP, once implemented, was effectively impossible to rescind.
2. Negotiated salaries and the corresponding funding sources should be a matter of public record. The report details at length (pp. 23-24) scenarios under which salaries may be negotiated out of funds whose eventual receipt is uncertain—which underscores the need for this transparency and oversight.
3. Administration should commit to clear indicators of program success with respect to recruitment and retention, and of faculty Good Standing with respect to mentoring and teaching effort. Anecdotal and perceptions-based evidence of the sorts utilized in the report are inadequate.
4. The campus should follow the report's suggestion that eligibility be extended only to faculty already drawing three summer months of salary.
5. The report envisions that funds from Self-Supporting Graduate Programs (SSGPs) could fall under the definition of eligible non-state funds that can be used to pay negotiated salaries. CPB feels strongly that they should not. While privatizing the benefits of SSGPs would encourage their establishment, these programs draw on shared resources and are, as a matter of logic, more likely in fields capable of contributing to these shared costs. Making SSGPs eligible sources for negotiated salaries could also provide faculty a financial advantage when teaching in those programs at the cost of state-supported programs, and lead to increased tension within faculties.
6. Clear guidelines will be required for how much of an external fund source could be utilized for NSP (see draft APM-668-16). Who will determine this? How will the campus balance faculty incentives with ensuring that the campus is compensated for its role in making such revenue-raising activities possible?

cc: Shasta Delp, Academic Senate Executive Director

ACADEMIC SENATE
SANTA BARBARA DIVISION

June 6, 2022

TO: Susannah Scott, Divisional Chair
Academic Senate

FROM: Omar Saleh, Chair
Committee on Academic Personnel

RE: CAP Response to the Report from the Negotiated Salary Trial Program Phase 2 Taskforce

The Committee on Academic Personnel discussed the NSTP briefly in a mid-June meeting. First, the committee notes that it is highly regrettable that comments on this major issue were requested during the most busy time of the academic personnel season. Second, as members of a non-participating campus, we clarify that most committee members had not recognized that this program existed. That said, the major conclusion was clear— The committee’s comments were largely negative, and against widespread adoption of the NSTP. In fact, the discussion touched on many of the major critical comments that were included in the Phase Two Taskforce Report, including strong concerns about the enshrined inequity that obviously would come from making such a program permanent, the likelihood that the NSP would undermine the existing merit system (and thus reduce the pressure in making the existing merit system competitive), and the NSP being inconsistent with the mission of a public university. These concerns are mentioned in the Taskforce report (along with other, troubling, concerns regarding potential unethical use of NSTP funds), and, further, the summary indicates that there is a lack of clear evidence for many of the program’s benefits. Yet, the bottom line of the Taskforce recommendation is to make the NSTP permanent (as the NSP) because “ending the negotiated salary program would be so disruptive.” The committee notes that this rationale raises serious questions as to the meaning of the program’s “trial” designation (i.e. the ‘T’ in ‘NSTP’), that is: Was the NSTP really started with no thought as to how to end it? Having started a program allowing certain faculty to increase their salaries by tens of thousands of dollars, did no one consider that it might be difficult to stop allowing these faculty to take those stipends, and take appropriate steps to plan for the program’s end?

For the Committee,

A handwritten signature in black ink, appearing to read 'Omar Saleh', written in a cursive style.

Omar Saleh, Chair

June 6, 2022

To: Susannah Scott, Divisional Chair
Academic Senate

From: David Stuart, Chair
Committee on Research Policy and Procedures

Re: Report from the Negotiated Salary Trial program Phase 2 Taskforce

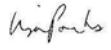
The Chair of the Council on Research and Instructional Resources, Karen Lunsford, delegated the review of the Report from the Negotiated Salary Trial Program (NSTP) Phase 2 Taskforce to the Committee on Research Policy and Procedures. The committee discussed the report at its meeting on June 3, 2022. Neither the Committee on Library, Information & Instructional Resources nor the Committee on Information Technology reviewed the report. CRPP's comments are as follows:

- Members recognize this program has been an effective tool for addressing compensation and retention issues for faculty at the UC; some members find this worrisome, although others think bringing market incentives to UCSB could be a good thing.
- Concerns exist as to how this program will not exacerbate existing funding gaps between the disciplines, i.e., STEM vs. humanities and fine arts. More information should be outlined for how campuses can make strategic decisions to guide use of funds so that the program is beneficial for all rather than select fields.
- Because the program does not exist at UCSB, it is difficult for members to fully comprehend the scope of the NSTP program were it to be enacted on this campus, who would be able to access the program, and what impacts there would be.
- Members were wary of the tone of the report and the indication that it will be "too disruptive" to end the program. This makes the whole concept of a trial seem disingenuous. Moreover, the program seems to institutionalize the notion that the state will not adequately support the mission of the UC and that other fund sources are necessary to retain world class faculty.
- Members are concerned that the program, in and of itself, doesn't seem to be fully driven by merit - only if people know about the program and apply for it, with access to funds. Building on this, is it reasonable to rely on data that reflect the program is a success, when that data comes only from participating faculty?
- Members question whether this has impacts related to academic freedom. In the long run, will people be incentivized to research more lucrative topics?
- The members wanted to see more information about the opportunity cost of this program. They advocate that the program should pay for itself and not become an additional administrative burden. They felt the report was lacking in this information.

CC: Shasta Delp, Executive Director, Academic Senate

June 6, 2022

To: Susannah Scott, Divisional Chair
Academic Senate

From: Lisa Parks, Chair 
Council on Faculty Welfare, Academic Freedom, and Awards

Re: Report from the Negotiated Salary Trial program Phase 2 Taskforce

The Council on Faculty Welfare, Academic Freedom, and Awards reviewed the Report from the Negotiated Salary Trial program Phase 2 Taskforce at its final meeting on June 1, 2022.

Several members observed the university's need to pursue alternative avenues of compensation in order to recruit and retain faculty and keep the UC competitive, and they recognize this program as a valuable tool for doing so. However, they had numerous concerns about the program.

- While members appreciate the degree of flexibility and autonomy each campus wields, the program functionality is considerably opaque as to how it works and who is eligible. This may be a function of the fact that UCSB is not a current participant in the program, but more information is needed for members to assess its overall success as well as what it would look like were it in effect at UCSB.
- Members note that the report gives assurance that teaching duties are not impacted under the NSTP, however it does not discuss service commitments. Are program participants performing a comparable load of service to non-participants?
- Is this program effectively serving as a long-term excuse for the state to avoid addressing the insufficient levels of current salary scales? The root problem seems to be insufficient funding, and this policy doesn't address that problem at a systemic level by encouraging utilization of non-state funds.
- Who will be responsible for continuing to monitor and flag inequities as a result of this program, and recommend or mandate responses?
- There is significant concern about disadvantages among disciplines. Members feel this largely benefits faculty in STEM and would be much more difficult to optimize for faculty in the humanities and arts. Moreover, will it encourage some faculty to change their research to pursue only what is more profitable? Interest and curiosity in a variety of disciplines should be broadly preserved and attended to, in the spirit of the mission of the university.
- This effort seems contradictory with the faculty salary equity report, and at odds with other initiatives that are attempting to improve the landscape of diversity, equity and inclusion.

- The report acknowledges the high administrative impact but ultimately seems to diminish the concern. UCSB is in the midst of a perilous staff shortage, like other campuses, and we need to be acutely mindful of increasing the work of existing staff that are already over extended.

CC: Shasta Delp, Executive Director, Academic Senate

**Academic Senate
Santa Barbara Division**

June 17, 2022

To: Susannah Scott, Divisional Chair
Academic Senate

From: Jean Beaman, Chair
Committee on Diversity and Equity



Re: Report from the Negotiated Salary Trial Program Phase 2 Taskforce

At its meeting of May 23, 2022, the Committee on Diversity and Equity (CDE) reviewed the Report from the Negotiated Salary Trial Program Phase 2 Taskforce. CDE thought that augmenting salary could have positive implications for faculty recruitment and retention, if campuses are seen as more competitive. CDE suggests that language could be added about the disparity for faculty in disciplines that are less likely to access grants with large amounts of funding. The NSTP should also not be used as a way for campuses to ignore salary issues that will arise. CDE appreciates the Taskforce's engagement with how this program could affect equity among faculty.

CC: Shasta Delp, Executive Director, Academic Senate

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May 12, 2022

To: Susannah Scott
Chair, Divisional Academic Senate

From: Peter Ford
Vice-chair, L&S Faculty Executive Committee



Re: Systemwide Review of Negotiated Salary Trial Program Phase 2 Taskforce Report

At its meeting on May 5, 2022 the Faculty Executive Committee of the College of Letters and Science (FEC) reviewed the Negotiated Salary Trial Program (NSTP) Phase 2 taskforce report, which evaluates the program and makes specific recommendations for the program's future.

The committee respects the potential value of converting the trial NSP to a permanent systemwide option for each campus, with adjustments in line with task force recommendations, and giving each campus the control to evaluate the program's relevance to their own processes and personnel structure. In particular, members commented on the potential benefit of NSP arrangements relieving pressure on the UC retirement system, based on the additional salary being exempt from benefits calculations. This could make retention of faculty less costly to the campus.

With respect to UCSB, members did express significant concerns around the potential for an NSP of the nature described on our campus to exacerbate existing inequities between faculty salaries. Though it is unclear to us at this time whether UCSB would adopt the proposed NSP, we do not object to its codification at the systemwide level, expecting that campus leadership would exercise wide consultation and careful judgment in determining whether the program was right for our campus, and what if any local modifications could support its adoption.

Thank you for the opportunity to comment.

cc: Pierre Wiltzius, Executive Dean of the College and Dean of Science
Michael Miller, Interim AVC and Interim Dean of Undergraduate Education
Mary Hancock, Acting Dean of Humanities and Fine Arts
Charlie Hale, Dean of Social Sciences

July 5, 2022

TO: UCSB Academic Senate, Shasta Delp

FROM: Tobias Höllerer, Outgoing Chair
College of Engineering, Faculty Executive Committee

DocuSigned by:

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RE: Report from the Negotiated Salary Trial Program (NSTP) Phase 2 Taskforce

The UCSB College of Engineering FEC reviewed the *Report from the Negotiated Salary Trial Program Phase 2 Taskforce* sent for systemwide review on April 15, 2022 by Michael T. Brown, Provost and Executive Vice President for Academic Affairs.

The CoE FEC acknowledges the taskforce's recommendation to continue, improve, and expand the negotiated salary program (NSP). The report states that "the taskforce has concluded that ending the negotiated salary program would be so disruptive that we cannot recommend such a course of action. Rather, accepting that it needs to continue, we have addressed how it can be improved and expanded".

The recommendations include that the program **become available on all UC campuses** for the use of faculty that are not on the health sciences compensation plan (HSCP), that its implementation on each campus should **allow for some local campus autonomy** on issues such as fund sources, defining good standing, etc., and also outline a number of principles that a universally adopted NSP should adhere to.

The FEC felt strongly that given the task force's recommendation to transition the NSTP (which UCSB did not participate in) to a full-fledged NSP, and especially given the taskforce's portrayal of a continuation of the program at currently participating campuses as basically inevitable, **UCSB would have to participate in an expanded NSP.**

In FEC discussions, this was seen mostly as a necessity for reasons of competitiveness and equal opportunity. If UCSB does not move forward with this, we could see a retention and recruitment problem. Within UCSB, the CoE is likely to have among the highest number of faculty (and prospective faculty) potentially interested in participating in such a program, and thus the question of competitiveness is more pronounced than it may be across the UCSB campus and the whole system.

At the same time, FEC members lobbied for the same conditions for the NSP implementation to be applied across all campuses. For example, any constraints on the types of funds that can be applied to the NSP should be uniformly decided across ALL campuses.

The FEC appreciated the thorough discussion of concerns with and potential negative effects of the NSTP (and a continuing NSP) in the report. The committee strongly agrees with the concern for such a program to be potentially used as an excuse by the university to avoid its responsibility to pay a competitive salary to all faculty. One additional concern, which is briefly mentioned in the report, but didn't get picked up in either the NSTP evaluation or the taskforce recommendations, is that the program might lead to more faculty choosing areas of research for their fundability rather than their intrinsic importance. Discussion of that possibility should be included in continuing deliberations regarding the final shape of the program.

Finally, given this committee's **strong support for UCSB's inclusion in the NSP**, the members feel that the general faculty population needs to be more comprehensively informed about the program. Reading in the report about many queried faculty not knowing about the NSTP at their institutions did not instill confidence about an equitable and fair unrolling of the trial program. The full program will need to be more transparently administered than this.



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SANTA CRUZ, CALIFORNIA 95064

Office of the Academic Senate
SANTA CRUZ DIVISION
125 CLARK KERR HALL
(831) 459 - 2086

June 24, 2022

Robert Horwitz, Chair
Academic Council

Re: Report of the Negotiated Salary Trial Program Phase 2 Taskforce

Dear Robert,

The Santa Cruz Academic Senate has reviewed your request for feedback on the Report from the Negotiated Salary Trial Program (NSTP) Phase 2 Taskforce and associated recommendations. The Committees on Academic Personnel (CAP), Emeriti Relations (CER), Faculty Welfare (CFW), Research (COR) and Planning and Budget (CPB) have responded. The responses reiterated previous concerns regarding equity, the possible effect on graduate student support, and the risk of undermining the single salary scale across the system, and emphasized the need for program caps and thorough and routine review if the program is to become permanent.

The Negotiated Salary program has consistently met with skepticism on the UCSC campus. When policy supporting the program was originally proposed, our division raised concerns that the program would only be available to a small number of faculty, and that the then proposed program ran the risk of undermining the single salary scale across the system.¹ This concern was reiterated the following year in our response to the proposed systemwide Negotiated Salary Pilot Plan, which raised concerns that the program could interfere with the “University’s commitment to salary equity across the campuses”, and noted that the program was most relevant to faculty in the STEM fields.²

After the completion of the initial five-year Phase I period and associated review, the UCSC divisional response raised concerns that “extending the program for another trial period could easily become a backdoor means of making the program permanent without adequate formal

¹ UCSC Senate Chair Gillman to Council Chair Anderson, 11/18/11, Re: UCSC Response to APM – 688, Negotiated Salary Program

² UCSC Senate Chair Konopelski to Council Chair Powell, 11/05/22, Re: Systemwide Negotiated Salary Proposed Pilot Plan

review.”³ It appears that this concern has been realized. In the cover letter for this review of the Phase 2 Taskforce Report, Provost Brown states that the review of the committee “has concluded that ending the negotiated salary program would be so disruptive that we cannot recommend such a course of action. Rather, accepting that it needs to continue, we have addressed how it can be improved and expanded.”⁴

Although the NSTP boosts the salaries of the small percentage of faculty who can participate, it is not clear from the report whether the program is achieving the original goal to attract and retain outstanding faculty. It is clear however, that as suspected, there are inherent equity issues associated with the program, particularly on the UCSC campus where the option is *de facto* available only to faculty in the STEM fields. Our division is deeply concerned about the potential of this program to create salary and workload inequities among equally excellent and accomplished faculty across different campuses, academic divisions and departments, and even within individual departments. Although the Taskforce acknowledges equity issues in program participation, it does not adequately address these issues. Our responding committees noted that one key issue that inhibits program participation (even across STEM fields) seems to be the tight conditions on eligibility of the funding sources. For example, very few federal grants allow forward spending for an entire academic year, which is a necessary condition for the NSTP. Allowing for quarterly, rather than academic year participation in the NSTP may increase access to the program. Further, if the program is made permanent, it should be publicized more in order to promote broader participation. Question 4 of the 2021 NSTP Faculty and Administrator Survey in Appendix C2, showed that 23% of those surveyed stated that they did not know about the program, and therefore, did not apply. It is crucial that faculty are made aware of the program, across all divisions and ranks. Furthermore, if the program is made permanent, it should be developed in such a way as to warrant participation beyond the STEM fields.

Our responding committees noted that there are already equity concerns regarding the ability of some faculty, and not others, to obtain summer salary, and raised concerns about the potential for misuse of the NSTP compounded by the issue of access to summer salary. For this reason, the Santa Cruz Division strongly supports the Taskforce recommendation that negotiated salaries be capped at an appropriate percentage. However, we note that the suggested 30% cap may be used in conjunction with other salary augmentations such as summary salary, and could result in a total 60% increase in salary, and potentially exacerbate departmental and campus inequities when decoupled from transparent evaluations of merit and performance. If the program becomes permanent, we recommend the consideration of a total cap to the sum of NSTP salary increases and additional salary increases, such as summer salary. Our Committee on Emeriti Relations further recommended that negotiated salary augmentations should not be considered part of the base salary that is used to determine defined pensions through UCRP, as this could potentially have a crippling effect on the health of our retirement system and violate restrictions on using state funds to support this program. An additional suggestion was made that because this is an inequitable program, NSTP salary should be considered in the calculation of equity adjustments for faculty in the same department.

³ UCSC Senate Chair Einarsdóttir to Council Chair White, 11/21/17, Re: Systemwide Review of Taskforce Report on the Negotiated Salary Trial Program

⁴ Prost Brown to Council Chair Horwitz, EVCs, and Provosts, 4/15/22, Re: Systemwide Review of the Report from the Negotiated Salary Trial Program Phase 2 Taskforce.

On page 24, the Taskforce recommends, “campuses must have a strategy to cover negotiated salaries should the originally identified funds ultimately prove unavailable”. Our responding committees questioned whether the program could then run with no grants in hand, which is a course of action that we oppose. Campuses should not be responsible for a shortfall of a grant that was associated with the NSTP. In the spirit of keeping the program at no cost to the University, the negotiated salary should be calculated on grants already obtained. A recommendation was made that if funds are unavailable, the burden should fall on the PI and the salary renegotiated.

A few of our responding committees felt strongly that state funds (19900) should never be used for individual faculty salary augmentations outside of the normal personnel review process. Concerns were raised about the Taskforce recommendation on page 17 that states, “However, if a faculty is participating in NSTP, salary savings from 19900 funds may not be used to pay the NIH gap. Should the NSTP be made permanent, we recommend that how the NIH cap gap be covered not be a function of participation in the NSTP *per se*.” This recommendation suggests that there may be support for future use of 19900 funds. These responding committees recommended that it be made clear in any permanent policy/program that state funds cannot be used to cover shortages in NSTP funding.

Careful review and consideration should additionally be given to which, if any, non-state funds are used to support this program. One committee noted that although most members had few concerns about faculty members using direct funds or a portion of overhead generated from their own grants to “boost” their salaries, there was considerable concern about the potential use of general pooled campus indirect funds for this purpose.

Our committees raised concerns that the NSTP adds complexity to what has long been a tightly controlled set of salary scales. It is fairly clear in the report, but worth repeating, that the NSTP should not be considered a solution to the issue of UC faculty salaries and the salary scale falling below comparative universities, particularly amidst high housing costs and the general cost of living in California. Careful attention must be made to ensure some level of control so that salary scales do not become further disparate, or dependent on how much money a researcher can secure.

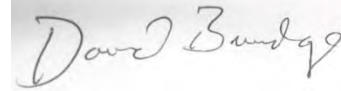
As raised in previous NSTP reviews, our responding committees questioned the real impact of the program on graduate students. It is difficult to assess whether faculty in the NSTP are spending more time looking for sources of funding to boost their own salaries, and less time providing graduate support. However, data on the number of proposals and grant applications submitted, rather than just the number of successful grants, may shed more light on this question. Additionally there were concerns about faculty reducing graduate student GSR support as a means of securing NSTP funds, and if so, departments or divisions may end up supporting those graduate students through TAs. There may be a need to look at the details of how graduate students who work with NSTP faculty are supported over time (through GSRs, TAs, etc.) in order to gain a better picture of the full impact of this program.

If the NSTP is made permanent, the Santa Cruz Division recommends that it undergo regular periodic campus and systemwide review to ensure that equity concerns are proactively addressed and not exacerbated, funding sources are used appropriately, graduate mentoring and funding are not negatively impacted, and participation in the NSTP does not have negative effects on teaching and/or service to the department and the University. We note that the membership of the Negotiated Salary Trial Program Phase 2 Taskforce was unbalanced and was composed primarily

of administrators and faculty from units that have benefited from the program. The composition of future campus and systemwide review committees should be diverse and balanced in their representation, and include administrators and faculty that come from units that both are and are not participating and benefiting from the program.

Thank you for the opportunity to opine.

Sincerely,

A handwritten signature in cursive script, reading "David Brundage", written in dark ink on a light-colored background.

David Brundage, Chair
Academic Senate, Santa Cruz Division

cc: Stefano Profumo, Chair, Committee on Academic Personnel
Judith Habicht Mauche, Chair, Committee on Emeriti Relations
Nico Orlandi, Chair, Committee on Faculty Welfare
Nick Davidenko, Chair, Committee on Research
Dard Neuman, Chair, Committee on Planning and Budget
Matthew Mednick, Executive Director, Academic Senate



UNIVERSITY COMMITTEE ON PLANNING AND BUDGET (UCPB)
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Assembly of the Academic
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June 15, 2022

**ROBERT HORWITZ, CHAIR,
ACADEMIC COUNCIL**

**RE: REPORT OF THE NEGOTIATED SALARY TRIAL PROGRAM PHASE 2
TASKFORCE**

Dear Robert,

UCPB appreciates the opportunity to review the Report of the Negotiated Salary Trial Program Phase 2 Taskforce.

UCPB expressed concern that funds from Self-Supporting Graduate Programs (SSGPDs) have been used to pay faculty negotiated salaries as reported by the taskforce. While UCPB acknowledges that these comply with the definition of eligible non-state funds, their use in this regard encourages the proliferation of SSGPDs and incentivizes teaching in those programs likely at the cost of state-supported programs.

UCPB notes that the phase 2 NSTP review was hampered by a similar lack of metrics to assess its effects on recruitment, retention, and graduate student support as was the phase 1 review. The taskforce's conclusions were over-reliant on anecdotal reporting by faculty and administrator participants rather than drawing on data collected for standard metrics. Transparent and detailed data collection is necessary for a serious evaluation of the program.

Given the experience with NSTPs at the six trial campuses, UCPB supports moving forward with constructing a permanent NSP designed by the Office of the President and subsequently reviewed by the Senate. However, we would like to any permanent NSP program to include a regularly scheduled review based on an articulated set of metrics. Such periodic reviews

would help to ensure that the policy adheres to the principles outlined in the report and to any other features deemed important to ensuring the continued success of the academic mission and the avoidance of any unintended negative impacts.

Sincerely,

A handwritten signature in black ink, reading "Kathleen McGarry". The signature is written in a cursive, flowing style.

Kathleen McGarry, Chair
UCPB



UNIVERSITY COMMITTEE ON ACADEMIC PERSONNEL (UCAP)
John Kuriyan, Chair
kuriyan@berkeley.edu

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1111 Franklin Street, 12th Floor
Oakland, CA 94607-5200
Phone: (510) 987-9466

June 29, 2022

ROBERT HORWITZ, CHAIR
ACADEMIC COUNCIL

RE: Report of the Negotiated Salary Trial Program Phase 2 Taskforce

Dear Robert,

UCAP has reviewed the report of the Negotiated Salary Trial Program Phase 2 Taskforce and we have no specific feedback.

UCAP appreciates the opportunity to comment on this matter. Please don't hesitate to contact me if you have any questions.

Sincerely,

A handwritten signature in cursive script, reading "John Kuriyan".

John Kuriyan, Chair
UCAP



UNIVERSITY COMMITTEE ON FACULTY WELFARE (UCFW)
Jill Hollenbach, Chair
Jill.Hollenbach@ucsf.edu

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1111 Franklin Street, 12th Floor
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July 12, 2022

**ROBERT HORWITZ, CHAIR
ACADEMIC COUNCIL**

RE: Report of the Negotiated Salary Trial Program Phase II Task Force

Dear Robert,

The University Committee on Faculty Welfare (UCFW) has reviewed the Report of the Negotiated Salary Trial Program (NSTP) Phase II Task Force, and we have several comments, most of which focus on equity issues. As noted, since the program is not equally useful in all disciplines, some report an impression of the rich getting richer. Unequal implementation across and within campuses exacerbates these concerns. We also note that participation by faculty from underrepresented groups is low. Assessment of how NIH and NSF grants, state funds, and summer salaries are calculated could indicate additional equity gaps. How graduate student funding and grant accounting and administration are impacted should also be closely monitored.

More broadly, members are concerned that the incentive structure for seeking grants may be changing in unanticipated and negative ways, perhaps even leading to Conflicts of Interest. We also note that the constitution of the task force lacked a sufficient balance of Senate faculty and administration, and we hope future reviews will observe Shared Governance more faithfully.

Thank you for helping to advance our shared goals.

Sincerely,

Jill Hollenbach, UCFW Chair

Copy: UCFW
Hilary Baxter, Executive Director, Academic Senate
Susan Cochran, Academic Council Vice Chair



UNIVERSITY COMMITTEE ON AFFIRMATIVE ACTION, DIVERSITY,
AND EQUITY (UCAADE)
Daniel Widener, Chair
dwidener@ucsd.edu

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University of California
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July 19, 2022

ROBERT HORWITZ
CHAIR, ACADEMIC COUNCIL

**RE: REPORT OF THE NEGOTIATED SALARY TRIAL PROGRAM PHASE 2
TASKFORCE**

Dear Robert,

UCAADE appreciates the opportunity to comment on the recent report on the Negotiated Salary Trial Program Phase 2 Taskforce (NSTP). The NSTP appears to provide valuable flexibility in setting competitive salaries without drawing on public or university resources. This is an important engine of setting competitive salaries in specific fields, most of which are of course in STEM and other grant-supported areas. There are concerns about the program that have been raised, including the expense of data tracking were the program to continue, the possibility of reduced graduate support as faculty pay themselves out of grants instead, and the effect of the program on URM and women faculty.

In the previous conversations about NSTP at the divisional (San Diego) and systemwide level, these concerns have been noted with a kind of “what else can we do” spirit of resignation. UCAADE understands this, but at this time feels that the inequities present in the NSTP program—in comparison to the rest of the faculty population—render the continuation of the program unacceptable from the point of view of the specific charge of our committee.

Other committees, with other mandates, will doubtless have other perspectives, as will senior management. UCAADE acknowledges this as well, and offers the following by way of rationale for our position.

UCAADE is concerned that the University of California, by acting in the interest of individual faculty, is contributing to three forms of inequity.

The first of these concerns the aim of the program itself. By augmenting and making more competitive salaries in the various disciplines which are heavily represented in the program, it would appear that additional salary disparities are created elsewhere. The overwhelming number of participants in NSTP come from STEM fields, where regular grants-based income is more forthcoming. This has the possibility of further worsening gaps between those who are “on-scale” and “off-scale,” as well as creating separation between STEM and non-STEM fields. Everyone knows this is a problem, and to date all the mechanisms for arriving at decent faculty salaries have been individuated, whether through retention offers or programs like NSTP. At some point, this has

to stop, and it is unlikely to do so while a segment of our faculty are allowed to take care of themselves. Non-STEM faculty are not a protected class, and so the inequities between various categories of professors are legal. But this doesn't make them healthy.

A second serious concern is racial. Although gaps are closing, at many divisions faculty of color, particularly Black faculty, are concentrated in non-STEM fields. This is truer at senior ranks than at the assistant level. In the absence of specific salary augmentation of non-NSTP salaries, it would appear that the program has the effect of worsening salary inequities along racial lines. As noted in figure 4, African/African American faculty comprise 2.7% of UC faculty, yet represent only 0.3% of NSTP enrollees. This was foreseen, at least at UC San Diego, when the program was inaugurated, and has now come to pass. UCAADE cannot in good conscience support the extension of a salary program that results in what appear to be obvious racial disparities. We understand that this is a function of the specific fields that make heavy use of the NSTP program, but the numbers are what they are. It should be pointed out that within the ranks of those using NSTP, there do not appear to be racial disparities. The problem becomes apparent when NSTP participation is examined in comparison to faculty demographics as a whole.

The gender statistics are just as bad, if not worse. Women constitute 33.4% of ladder-rank faculty, and are 46% of lecturers. In Arts and Humanities, women constitute a majority of lecturers, and around 44% of of ladder-rank faculty. As noted by figure 3, women make up just 25% of faculty enrolled in NSTP. The report notes the following:

the average negotiated salary increment percentage for female faculty is higher than that of male faculty at the assistant and full professor ranks. The average negotiated salary amount for female assistant professors is approximately 31% higher than that of male assistant professors. While the average negotiated salary increment at the full professor rank is approximately 8% lower for female faculty (compared to 16% in 2018-19), per the box plot below, the median negotiated increment is slightly higher for female faculty than male faculty at the full professor rank.

Although both women and male faculty of color show salary gains in the NSTP, these accrue, as noted, to the comparably smaller number of each that are enrolled in the program. Figures 13 and 14 would seem to confirm that the program serves to widen, rather than narrow, salary gaps on the basis of both gender and race/ethnicity.

As it shows a disparate impact on faculty of color, particularly Black faculty, and women faculty (of all colors), the NSTP arguably rises to the definitional threshold for disparate impact and/or unintentional discrimination. This is perhaps something that the Senate suggest both UC counsel and the UCOP AA/EO officials evaluate.

For the reasons given above, UCAADE believes that the NSTP should be discontinued, unless a mechanism (ie, some redistributive mechanism toward those areas generally unable to make use of negotiated salaries) can be found to offset the inequities created by the program.

In 2016, I wrote an assessment of an early NSTP annual report in my guise as chair of the Committee on Diversity and Equity for the San Diego Division. An excerpt of it is included below.

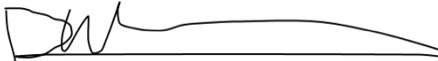
The Committee on Diversity and Equity (CDE) reviewed the NSTP Annual Report. Committee members offered a number of substantial concerns regarding the program, several of which are in line with previously raised issues. First, CDE members are concerned that the NSTP has the possibility to worsen existing concerns regarding gender and racial pay inequities, given the uneven distribution of URM and women faculty among the disciplines (which themselves have uneven access

to the sorts of external funding upon which the NSTP is based). CDE members would like to see data regarding how teaching loads compare for NSTP faculty as opposed to non-NSTP faculty. Likewise, there was a concern about whether or not participating faculty would be less likely to dedicate external funds to graduate support (instead of faculty salary) if able to do so under the terms of the NSTP. Moreover, CDE members noted the obvious possibility that by allowing a portion of the faculty to generate their own raises, the number of faculty invested in a push for a dramatic upward revision of the entire salary schedule would be reduced.

The members of the CDE are not naive, and recognize the rationale behind the program. Nor do we wish to block the entrepreneurial spirit or restrict the use of funds that our colleagues themselves generate. However, we do see the splitting of the faculty into ever-more individuated units as both a cause and a symptom of our larger difficulties in advocating for the sort of University that we profess to prefer.

It is the position of UCAADE that the NSTP reflects the collapse of the step system as an overarching mechanism for determining faculty compensation. It is our position that Senate energies must be devoted to rebuilding the norm of comparable pay at comparable levels of professional standing. This promises to be exceptionally difficult, and programs that further subdivide faculty into “haves” and “have-nots” are unlikely to generate the commonality of purpose necessary to producing a tide that can lift all boats.

Sincerely,

A handwritten signature in black ink, appearing to read 'DW', followed by a long horizontal line that tapers to the right.

Daniel Widener
Chair, UCAADE

cc. UCAADE



OFFICE OF THE PROVOST AND
EXECUTIVE VICE PRESIDENT FOR ACADEMIC AFFAIRS

OFFICE OF THE PRESIDENT
1111 Franklin Street, 12th Floor
Oakland, California 94607-5200

April 15, 2022

ACADEMIC COUNCIL CHAIR ROBERT HORWITZ
EXECUTIVE VICE CHANCELLORS/PROVOSTS

Dear Colleagues:

Enclosed for Systemwide Review is a Report from the Negotiated Salary Trial Program Phase 2 Taskforce, delivered to me on April 13, 2022. I seek your input and advice on the Taskforce recommendations, as summarized in the executive summary and supported by the report text and appendices. I am encouraged by the full Taskforce consensus supporting the recommendation to institutionalize the program in policy and create a permanent negotiated salary plan.

Background

On February 5, 2013, then Provost and Executive Vice President Aimée Dorr approved moving forward with the Negotiated Salary Trial Program (NSTP) on three campuses: UC Irvine, UC Los Angeles, and UC San Diego. She approved a five-year trial program from July 1, 2013 through June 30, 2018, asking for a full Taskforce review of the program in year four to make "informed judgments" about its future.

A joint Senate-Administration Taskforce convened to review the program issued its report to Provost/EVP Dorr on June 22, 2017, recommending continuation of the program under certain conditions. Subsequently, on July 13, 2017, Provost/EVP Dorr circulated the Taskforce recommendations for systemwide review, with comments due November 30, 2017. During systemwide review, there was input from the Academic Senate, including comments from nine campuses and six systemwide committees. In addition, academic administrators on all ten campuses also provided comments.

After a thorough review of this input as well as the recommendations of the Taskforce, and after additional conversations with Academic Senate leaders and campus administration, I accepted the Taskforce recommendation to extend the Trial Program for an additional four years, with a review after the third year and adding a fifth year of "wind-down" should the program not be continued after four years.

The Phase 2 Taskforce was appointed in October 2021 and included four members appointed by the Academic Senate and four members appointed by Executive Vice Chancellors/Provosts. Taskforce membership included representatives from seven campuses, including five of the six campuses in the trial program. In addition, the

taskforce had excellent advice from a consulting staff member with experience managing the program. Under the leadership of Vice Provost Benjamin Hermalin (UC Berkeley), the Taskforce met 5 times over the last academic year to review the trial program and develop the attached report.

Key Issues in the report

In its report, the Phase 2 Taskforce has done a thorough job of reviewing substantial information collected during Phase 2 of the program which included a survey of faculty in participating units and administrators involved in the implementation.

I asked the Taskforce to recommend “whether to institutionalize the program in policy or to end it.” The Phase 2 Taskforce “has concluded that ending the negotiated salary program would be so disruptive that we cannot recommend such a course of action. Rather, accepting that it needs to continue, we have addressed how it can be improved and expanded.” They offered broad recommendations for a permanent negotiated salary plan.

I want to thank both the Taskforce members who committed themselves to working together to develop this informative report with clear recommendations and also the staff from Academic Personnel and Programs who supported the effort.

Systemwide Review

This Systemwide Review is modeled on the full review mandated for Academic Personnel Manual policy changes and includes a 90-day review period. My successor as Provost will review the input we receive in this review and consult with the President about next steps.

We would appreciate receiving your comments no later than **July 15, 2022**. Please submit your comments to ADV-VPCARLSON-SA@ucop.edu. If you have other comments or questions, please contact Julie Elefant at julie.elefant@ucop.edu or 510-287-3887.

Sincerely,



Michael T. Brown, Ph.D.
Provost and
Executive Vice President for Academic Affairs

Enclosure: Report of the Negotiated Salary Trial Program Phase 2 Taskforce

cc: President Drake
Chancellors
Executive Vice President and Chief Operating Officer Nava
Vice Provost Carlson
Vice President Lloyd
Vice President Maldonado
Vice Chancellors for Research
Vice Provosts/Vice Chancellors of Academic Affairs/Personnel
Members of the NSTP Phase 2 Taskforce

Chief of Staff Kao
Assistant Vice Provosts/Vice Chancellors for Academic Personnel
Deputy General Counsel Woodall
Executive Director Baxter
Associate Vice Provost Lee
Director Sykes
Analyst Jue

Report of the Negotiated Salary Trial Program Phase Two Taskforce

1. Executive Summary and Recommendations

On October 11, 2021, Provost and Executive Vice President for Academic Affairs Michael T. Brown charged our Taskforce with reviewing the Negotiated Salary Trial Program (NSTP) and making recommendations about continuance of the program.

Our review of the NSTP reveals that it is a program that is generally well received on the six campuses (Davis, Irvine, Los Angeles, Riverside, San Diego, and Santa Cruz) where it is used. Its utilization is somewhat limited, involving from just 1.0 to 12.3% of the faculty on any given campus (6.4% of all eligible faculty across the six campuses participate). Yet it provides considerable amounts of additional compensation to the participating faculty (\$41,280 additional compensation on average among the participants and representing an augmentation of more than 20% of salary for 63.2% of the participants). Survey results indicate that it is very popular with participants. Non-participants are more mixed in their attitudes toward it: some non-participants see it as a valuable way for the campuses to compete with other universities to attract and retain the best faculty; other non-participants see it as unfair and arguably at odds with the University's ethos and mission.

As detailed below, the available evidence, while not perhaps as conclusive as might be desired, indicates that the NSTP is not harmful to the University's mission. It does not appear to result in reductions in teaching nor in graduate student support. There is some evidence to suggest that it may even expand the research enterprise, thereby enhancing graduate and postdoctoral education. Clearly, at least in terms of pay, participants find the program beneficial. The open question is whether the program provides benefits in terms of enhancing faculty recruitment and retention. Arriving at a definitive answer for that question is challenging. There is no clear statistical or other quantitative evidence to say that the program does. At the same time, many participants and department chairs aver that the program has been an important component of attracting and retaining the best faculty. As we discuss below, we conclude that the program likely helps with keeping program participants at UC. The impact of the program on junior faculty recruitment appears to be minimal since they typically need several years to expand their research program to be able to participate. We note, too, that there appears to be little effect of the program on recruitment and retention for non-participants, who are the overwhelming majority of UC faculty.

There continue to be some concerns about potential negative effects of the program, in addition to the equity and educational mission concerns to which we've already alluded. A significant concern is that the NSTP reduces the pressure on the UC system and its campuses to ensure that faculty salaries are competitive. Especially given the low participation rate, the NSTP or a successor program should not be seen as a substitute for having competitive pay scales. At best, the NSTP or successor program is merely one arrow in a quiver of strategies for ensuring that UC is competitive in terms of attracting and retaining the best faculty. Furthermore,

to the extent that UC uses the NSTP or successor program as a tool to attract and retain faculty, it will have to address the salary inequities that will likely ensue (e.g., via a salary equity program that might be mandated as part of a range adjustment).

After considerable discussion and review of materials, the taskforce has concluded that ending the negotiated salary program would be so disruptive that we cannot recommend such a course of action. Rather, accepting that it needs to continue, we have addressed how it can be improved and expanded. In Section 4 of this report, we offer some broad recommendations for a permanent negotiated salary plan (NSP). The highlights of those recommendations are:

- It should be available on all campuses for the use of faculty that are not on the health sciences compensation plan (HSCP).
- Its implementation on each campus should allow for some local campus autonomy on issues such as fund sources, defining good standing, etc.
- There are a number of features and principles that an NSP should adhere to, as set forth in detail in Section 4.

We believe that the earlier proposed system-wide policy, which would have been Section 668 of the Academic Personnel Manual (APM), provides a good starting place for drafting a new system-wide policy, one that should be informed by the lessons we’ve learned from the NSTP.

The next section, Section 2, lays out the background of the NSTP, summarizes its history and connection with the HSCP, and reviews previous assessments of it. Section 3 is our assessment of the NSTP. We discuss its utilization, which, as already observed, is limited. It is also, as we discuss, effectively restricted to certain fields, principally STEM fields. While that is not necessarily a problem, it does underscore the point that NSTP or a successor program is unlikely to address salary issues broadly, which means other steps will need to be taken to ensure faculty salaries that are competitive and equitable; with regard to the latter objective, we again emphasize that steps will likely be necessary to ensure that the NSTP or successor program doesn’t serve to exacerbate the salary inequities that are already present. We also review other features of the NSTP and discuss, in depth, the evidence on how it may be affecting matters such as recruitment, retention, faculty workload, and graduate/postdoc support.

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2. Background

This section derives largely from (i) the Negotiated Salary Trial Program (NSTP) Fourth Year Taskforce Report (June 2017); (ii) the Senate Response to the Fourth Year Taskforce Report (December 2017); and (iii) the Goals, Data Collection, Metrics, and Reporting document produced by the NSTP Metrics Working Group (October 2018).

A. History of Negotiated Salary Programs at UC

Discussions and development of a general campus negotiated salary program at UC. Discussions of a possible negotiated salary program for general campus faculty have occurred at UC for over 20 years, at both the campus and systemwide levels. Often drawing from the plans for negotiated salary used by schools in the health sciences, these discussions have promoted various mechanisms and funding sources. They have generally been targeted at specific disciplines. In the 1990s, the Council of Vice Chancellors (COVC) circulated a proposal for such a plan, which had been developed at UCLA, that was structured on a three-part salary component system with ranges at each salary step. COVC members were divided in their views about the plan with three in favor, two opposed, and four not commenting. Around the same time, UC San Diego drafted a pilot compensation plan for the biological sciences, but it was never put in operation. In the first decade of the 21st century, discussions of a general campus negotiated salary plan continued. This included a COVC discussion in 2003, as well as continuing campus-level discussions, particularly at UC San Diego and UCLA. Throughout these various proposals, the conversation has included issues of non-state funding, discipline-based needs, definition of covered compensation, summer income, and outside professional activities.

Proposed APM Policy. The discussions that culminated in the Negotiated Salary Trial Program (NSTP), phase one, stem from a June 2010 report to then UC Provost Lawrence Pitts. A Joint Senate-Administration Compensation Plan Steering Committee, chaired by then UC Irvine Executive Vice Chancellor and Provost Mike Gottfredson, delivered a report noting that “new approaches to funding faculty salaries are critical to sustaining a superior faculty, and to maintaining the superior public education that exemplifies the University of

California.” The report proposed development of APM policy, characterizing such policy “as a relief valve on the pressures otherwise mounting through reliance on ad hoc use of retention requests, which would further consume constrained state funds and impinge on the UCRP.”¹ A working group of Senate faculty and campus-level academic personnel representatives put together a draft policy. The proposed policy, which would have been section 668 of the Academic Personnel Manual (APM 668), was circulated for both management review (review limited to systemwide senate committees and some academic administrators) and systemwide review in 2011. Response to the policy was mixed, with strong objections as well as strong support among reviewers.

NSTP, phase one. Provost Pitts determined that concerns about the proposed APM 668 were so strong that the best alternative was to meet the salary needs by charging a Taskforce to develop “possible paths forward” and to generate a report by June 15, 2012. The Taskforce endorsed the idea of instituting a General Campus Negotiated Salary Trial Program; additionally, it proposed components of the program for review. These documents were subsequently reviewed by the Academic Council as well as the COVC in fall 2012.

In February of 2013, then Provost Aimée Dorr decided to accept the Taskforce recommendations for a trial program to begin on July 1, 2013, on three campuses, assuming that the campus Senate leaders and the administration could each demonstrate that the conditions were right for a successful program. Specifically, she asked that each campus provide her with documentation of the campus consultations on the trial program, involving both Senate members and administration. She asked each campus to develop campus-based implementation procedures, based on a common template, and extended the length of the trial from four to five years. She also asked Vice Provost Susan Carlson to work with the three campuses (Irvine, Los Angeles, and San Diego) and Senate members to further refine metrics, reporting, and assessment.

The three campuses that decided to take part in the program developed campus implementation documents that were approved by the Office of the President. Irvine, Los Angeles, and San Diego all began a trial program on their campuses effective July 1, 2013. This phase one of the program concluded on June 30, 2018.

In year four of phase one, UC Provost Dorr appointed a joint Senate-administrative Taskforce to review the NSTP. The Taskforce began its work in the fall of 2016. The Taskforce’s review included requests for additional data and a survey of the leaders of NSTP participating department leaders. Its work culminated in a report that recommended an extension and expansion of the trial program to allow for more data collection and review of the effects of the program. The report was forwarded to the Provost on June 22, 2017 and circulated to faculty leaders and campus academic administration on July 13, 2017 for review.

NSTP, phase two. In January, 2018, based on input from the systemwide review, UC Provost Michael T. Brown approved an expansion and continuation of the NSTP in a second phase, to begin on July 1, 2018 and run through June 20, 2022, with a possible one-year extension to facilitate determination at that time whether to establish the program as APM policy, terminate it, or alter it.

In addition to the three phase-one campuses, three new campuses (Davis, Riverside, and Santa Cruz) joined the program during phase two. On September 17, 2021, UC Provost Brown approved a one-year extension of the

¹ UCRP = University of California Retirement Plan.

NSTP for an additional fifth year for phase two for fiscal year 2022–23. Additionally, he requested that the six participating campuses provide a plan for possible rescindment should the program end. On October 12, 2021, UC Provost Brown appointed this new Taskforce to review the program and make a recommendation on whether to institutionalize the program in policy or to end it.

B. Relation to HSCP

It is important to recognize that the idea of the NSTP draws, in part, from the example of the Health Sciences Compensation Plan (HSCP), used by health sciences schools on seven UC campuses (Berkeley, Davis, Irvine, Los Angeles, Riverside, San Diego, and San Francisco). The HSCP is authorized through APM 670 and 671; it is implemented through school-based plans that are approved by the UC Provost. HSCP provides a structure of salary components to allow schools to use various non-state funds in salary programs and provides certain incentives for faculty to be active in clinical work and/or in securing research contracts and grants. The three salary components include the following:

- X and X' (X prime), which together comprise the base salary. X is based on the Fiscal Year salary scale rate for the faculty member's rank and step, while X' is determined by the faculty member's assignment to an APU (academic planning unit), based on sub-discipline and work responsibilities. Base salary rates for HSCP faculty are published in scales 0 through 9 of Table 5 of the Academic Salary Scales. While X can be covered by state funds, X' cannot.
- Y, which is negotiated annually between the faculty member and the department chair, is based on the income the faculty member is expected to receive through clinical income and external sources.
- Z, which provides for incentive pay for certain activities, usually clinical work.

Neither the Y nor Z component is UCRP-covered compensation.

The HSCP is used in some, but not all, health sciences disciplines; those schools that do not use it generally do not have the capacity to generate sufficient external funds for the negotiated salary components. HSCP has proven successful in many health-science disciplines in providing competitive salaries to recruit and retain top faculty. It also allows for calibration of salary components from year to year, depending on department revenues.

UC has other salary scales that tie compensation to specific disciplines, including law, veterinary medicine, business, economics, and engineering (see Tables 3, 4, 7, and 8 of the Academic Salary Scales). NSTP is distinct in that it is not tied to discipline. While the trial program has shown that it is most attractive in certain disciplines—such as biological sciences, physical sciences, and engineering—faculty from the arts, humanities, and social sciences have also enrolled in the trial program. The NSTP Program Documents in phase one and phase two both specify that HSCP members are not eligible for participation in the NSTP.

C. Summary of Previous Reviews

i. Discussion of key issues raised in previous reviews

In its June 2017 report, the NSTP Fourth Year Taskforce considered the following questions with regard to its evaluation of the NSTP:

- (1) What is the program's effect on faculty recruitment and retention? While Department Chairs and Faculty placed great importance on the program as a tool for recruitment and retention, the Taskforce found little quantitative evidence to support or refute this claim. Having more data was, therefore, viewed as important.
- (2) What is the program's effect on graduate student support and the size of research groups? Based on data from a single campus, the Taskforce found an increase in student support and research group size during participation years as compared to non-participation years.
- (3) What were average total research expenditures? The Taskforce found increases in total research expenditures during the first year of program participation as compared to prior years.
- (4) What were the effects of the program on teaching and service? While teaching loads of enrolled faculty were less than those of non-enrolled faculty, they found no difference in the teaching workload of enrolled faculty before and during their participation in the program; that is, the difference in teaching loads was a "preexisting condition."
- (5) Were faculty and administrators supportive of the program? Substantial support for the program was expressed by Department Chairs, administrators, and enrolled faculty. At the same time, non-enrolled faculty expressed concerns.
- (6) What were the costs of administering the program? Annual surveys of administrators showed negative reactions from staff due to the administrative burden of administering the program.

Overall, the Taskforce stated that there was a need for better evaluation of the program in the future. Consequently, it made additional data collection recommendations for the program going forward.

In December 2017, in response to the NSTP Fourth Year Taskforce report, the Academic Senate expressed conditional support for continuing the NSTP on a trial basis and expanding it to other campuses. However, they also had concerns about the NSTP's potential to exacerbate salary inequities, undermine the merit and promotion system, and compromise the core mission of the University by shifting faculty effort from teaching, service, and graduate student support to revenue-producing research activities. In addition, many reviewers found the report lacked sufficient data to support clear conclusions about either the program's positive impact on recruitment and retention or its detrimental impact on equity, faculty teaching effort, or graduate student support. The Senate also noted that it was unfair to grant such a benefit to UC Faculty on some campuses but not others. A further concern was that in creating a pilot program that allows for this supplemental salary

funding, the University could not easily withdraw such an entitlement. In essence, the creation of a pilot program, without a plan to end the program, was seen to create a systemwide policy by default. The Senate recommended that a rescindment plan needed to be created before the trial program could be extended.

ii. Questions that previous reviews left to be addressed

In May 2018, UC Provost Brown charged a joint Senate-Administration NSTP Working Group to design data collection, metrics, and an evaluation for phase two of the NSTP. The Working Group determined that, based on its review of phase two, it would make a recommendation for continuation, alteration, or termination of the program. Its basis for its recommendation would, in part, depend on whether the program had contributed sufficiently to recruitment and retention and whether the level of faculty participation pointed to a continued need for this type of program. The Working Group also requested that the Taskforce that would ultimately review the program should weigh the benefits vs. the potential drawbacks in areas such as 1) salary equity; 2) research focus; 3) department morale; 4) department workload distribution; 5) graduate student support, teaching, and service; and 6) administrative burden.

The Working Group developed the following set of questions to guide the review and data collection for phase two (we have organized them to parallel, somewhat, the six questions raised above):

1. What is the program's effect on faculty recruitment and retention?
2. What is the program's effect on graduate student support and the size of research groups? In particular, have the number of graduate students and postdoctoral fellows been affected? Does the program create or exacerbate salary inequities? (By gender, race/ethnicity, discipline, college, or rank?)
3. What has happened to total research expenditures? What have the effects been at the department/school level? Have department climate and functioning been impacted?
4. Does the program unduly encourage research in better-funded areas to the detriment of less-lucrative lines of research?
5. Are faculty and administrators supportive of the program?
6. Are administrative costs in line with the size and impact of the program?

3. Assessment of the NSTP

A. Utilization

It is important, at the outset, to recognize that NSTP is not a heavily utilized program and that its utilization is principally limited to certain areas of scholarship within the participating campuses. Using data from the "Negotiated Salary Trial Program Phase Two Annual Report for Year Three (July 2020 - June 2021)" ("NSTP P2Y3"), only 6.4% of all faculty participated in NSTP in 2020–21.² Among the six campuses in which faculty could participate,³ the participation rates varied from a low of 1.0% (Davis) to a high of 12.3% (San Diego). A more

² Faculty is defined as ladder rank and in-residence faculty not in a HSCP school.

³ The participating campuses are Davis, Irvine, Los Angeles, Riverside, San Diego, and Santa Cruz.

nuanced understanding of participation can be had by recognizing that not all departments and schools in the six participating campuses are participating. Considering only faculty in participating departments on participating campuses, utilization rates vary from 7.1% (Davis) to 18.3% (San Diego).⁴ Utilization is primarily in STEM fields (including public health). It is exclusively STEM fields at Davis, Riverside, and Santa Cruz. At the other campuses, STEM faculty account for 88% of utilizations at Irvine, 94% at Los Angeles, and 84% at San Diego.

Utilization can also be assessed by demographic attributes. There appears to be no notable difference in utilization by gender, controlling for participating units: 27.8% of the participants identify as female and female-identifying faculty make up 29.1% of the faculty in the participating units. Racial/ethnic utilization demonstrates greater variation: Asian/Asian American faculty utilize the program above their representation in participating units, while African/African American faculty, Chicanx/Latinx/Hispanic, and White faculty have utilization rates below their representation in participating units (see Figure 4 of the NSTP P2Y3).

Utilization rates tend to climb with seniority: eligible Assistant Professors use the program at a rate less than their percentage of eligible faculty, while Associate and full Professors use the program at a rate above their percentages of the eligible faculty.

A further question is the amount of salary augmentation that NSTP represents. Overall, considering eligible faculty only, the total salary augmentation from NSTP equals 23.0% of the total base salaries of participants. That aggregate number conceals considerable variation across participants: for 14.8% of participants, the augmentation is 10% or less of their base salary; for 22.1%, it is 10–20%; and for the remaining 63.2%, it is 20–30%.⁵ Female-identifying faculty tend to augment their salaries at roughly the same percentages as male-identifying faculty measured as a percentage of their base salaries (see Figures 9 and 15 in NSTP P2Y3). On the other hand, reflecting that female-identifying faculty tend to have lower base salaries, the dollar amount of their augmentation tends to be less than that of male-identifying faculty (average augmentation for females is \$37,433, average for males is \$42,762).⁶ There does not seem to be much variation across racial/ethnic groups with regard to the augmentations as percentage of base salaries (see Figures 10 and 16 in NSTP P2Y3). In dollars terms there is also little variation by racial/ethnic groups (average augmentation is \$42,811 for Whites, \$39,811 for Asian/Asian Americans, and \$37,919 for URM); what differences in augmentation amounts exist are probably explained by differences in base salaries (average for Whites is \$184,857; it's \$175,722 for Asian/Asian Americans and \$151,473 for URM).

In summary, NSTP is not a heavily utilized program, although it is more heavily used in some areas (STEM notably) than others and on some campuses more than others (*e.g.*, by almost one in eight faculty at San Diego). For those faculty who do participate, it represents a non-trivial amount of additional income: \$41,280 on average and over a 20% augmentation for 63.2% of the participants. It is difficult to see how the loss of this compensation mechanism would be other than very disruptive at the participating campuses, potentially leading to demands for significant increases to base salaries and/or retention issues.⁷

⁴ The rates for the other four campuses are 16.3% at Irvine, 17.1% at Los Angeles, 9.5% at Riverside, and 10.3% at Santa Cruz.

⁵ The NSTP does not allow augmentation beyond 30%.

⁶ The average base salary for females is \$163,665. The average for males is \$185,075.

⁷ Although there are not good data on the role the NSTP might play in retentions, surveys of participants suggest that the NSTP could be an important factor in the participants' decisions to remain at UC. As one participant who was surveyed

B. Assessment of the Current Program

Although a challenge to quantify, the NSTP would appear to be important on campuses where it has been implemented, albeit not for every department and school. It is valued by participating faculty and it is generally seen as an asset by administrators.⁸ For those areas in which NSTP can be utilized, it is viewed positively in terms of recruitment and retention (although quantitative data to support that view is difficult to assemble) and as an incentive to grow sponsored research; hence, many see it as having positive effects on the research mission of the University of California (see previous two footnotes).

NSTP has also played an important role in reducing the tension that arose because of the desire of some general campus faculty to participate in a salary plan akin to the Health Sciences Compensation Plan (HSCP).⁹ In particular, it lessened the desire of those general campus faculty to move their appointments to health science units under the HSCP. Since the NSTP was first implemented on three campuses (Irvine, Los Angeles, and San Diego) in 2013, there are survey data to show that, while of limited use, NSTP has been positively received. In this regard, the Taskforce finds the case for establishing a permanent program more compelling than it was when reviewed by the NSTP Fourth-Year Senate-Administration Taskforce in 2017. At that time, it was noted that the project was relatively modest in scale and impact. In this section, evidence regarding the effects of the program on faculty recruitment and retention, on teaching, and on the support of graduate and postgraduate researchers are reviewed. This is followed by a discussion of the equity concerns inherent in the program. Finally, we address the critical point that the program should in no way replace the need to raise the salary scales for ladder faculty to maintain the excellence of our faculty across the University. This last point is particularly important for fields and disciplines where extramural funds to support a negotiated salary program are unlikely to be available.

i. Evidence concerning recruitment and retention

A major motivation for establishment of the NSTP was to improve success in recruitment and retention of faculty in disciplines that generate significant extramural funding. Department chairs and campus administrators with direct experience with the program express the view that the NSTP has proved a useful tool for both

wrote, “I am in a discipline that is in high demand with no shortage of academic and industrial research positions. I know many of my colleagues, as well as I, would have long departed because of the grossly under-market-rate base salary. NSTP’s discontinuation will cause huge talent loss” (source: 2021 NSTP Faculty Survey).

⁸ Surveys indicate that *participating* faculty view it favorably (see, e.g. 2021 NSTP Faculty Survey). This seems generally to be the impression of senior administrators; for example, “... NSTP helps us to recruit top-notch scholar[s] to our school and [retain] several highly sought-after faculty. In every single successful retention case I have worked on in the past three years, NSTP played an essential role in keeping our faculty stay. Without NSTP, we would have lost many productive faculty.”

⁹ From one senior administrator (responding to an anonymous survey): “NSTP allows us to compete with medical school compensation programs. For that reason alone it is an essential tool for campus use. Should NSTP be sunsetted, then an alternative would have to be established for faculty in biological and physical schools that could run their grants and payroll through medicine. The consequence would be less undergraduate teaching for those faculty that place their appointments in the health sciences.”

recruitment and retention.^{10,11} However, given the small numbers of faculty members involved in the NSTP in any given academic unit, it is difficult to obtain quantitative evidence for such an impact. As one member of the Taskforce, with considerable experience in faculty retention matters, wrote, “While the effect of NSTP on retention is difficult to document in a statistically rigorous manner, it is without question an important tool for competing with external offers.”

Although quantitative measures of the NSTP’s effects on recruitment and retention are difficult to obtain, an examination of faculty, staff, and administrator comments suggest that the effects have been positive and valuable. Numerous respondents to the 2021 Faculty and 2021 Administrative surveys noted that, with the high cost of living near many UC campuses, any means of increasing faculty compensation will be valuable in recruitment and retention. Although generally positive about the value of NSTP for recruitment, a number of respondents noted that the restrictions on fund sources represented a limitation on using NSTP in recruitment; it is these respondents’ belief that a broader set of possible fund sources would make NSTP an even more powerful tool for recruitment. That said, many respondents opined that the *existence* of this compensation mechanism had a positive effect on faculty recruiting in fields where extramural funding to support a negotiated salary increment tended to be available.

Although many survey respondents expressed the view that NSTP was an asset for faculty recruitment and retention, this was not a universal view: some respondents said that the program had had negligible effects on recruitment and retention.¹²

¹⁰ For example, “[NSTP is] a huge positive for our dep[artmen]t. As chair, I clearly have seen that the ability to participate in NSTP has decreased salary complaints, decreased retention issues, and increased positive perception of the dept, school, and [my campus]” (source: 2021 NSTP Administrative Survey). Or consider, “The [NSTP] was essential in my decision to remain at [campus name]. Other Universities were able to offer far more salary than UC when trying to recruit my lab. Even with the [NSTP] my salary is significantly lower than what was offered elsewhere, but it made it closer so that I could rationalize staying for other factors ... [NSTP] is important for retention of successful faculty that are capable of maintaining highly funded research programs” (source 2021 NSTP Faculty Survey).

¹¹ For example, “[NSTP] is key to successful recruitments, the front[-]end salaries are much more attractive and UCRP is not a strong selling point” (source: 2021 NSTP Administrative Survey). Another respondent to the same survey: “As dep[artment] chair, I interact closely with faculty participating in NSTP. It is a very important factor for faculty who struggle with the high local cost of living. It is also a major element of discussions with prospective faculty recruits.” Or consider, “I accept the offer to join [campus name], this NSTP is one of the major reasons which makes [campus name] recruitment competitive. It is clearly stated in my offer letter about participating [in] NSTP. I transferred multiple grants to [campus name] and I am getting more grants because this incentive of NSTP is driving me to bring in more funds. I will feel [campus name] cheated if NSTP does not continue after I join [campus name]” (source 2021 NSTP Faculty Survey).

¹² For example, from the 2021 NSTP Administrative Survey: “This program tends to only increase the income dramatically for those who can afford to participate, which in my experience has been minimal. I believe that in my division alone, out of over 150 faculty members, that only 6 faculty are participating this year. Of the 3 NSTPs that I helped faculty with this year, all 3 already have quite a high salary rate, which causes even more disparagement between them and younger/newer faculty who are not making as much. There are those who cannot participate because they do not have sufficient funding, or sufficient grants. I don’t think this helps with retention because it can be used as a bargaining tool for an outside entity trying to recruit faculty. If the entity can match what they make with NSTP (or close) without them having to use grant funds on their own payroll, then it does not keep them in the UC system. It also does not really benefit our campuses in any way or the grants they use, as it doesn’t require more time to be spent on those projects unlike Summer Salary.

Administrators' responses to the question "NSTP has helped with faculty recruitment" found 14.8% disagreed or strongly disagreed and 42.6% agreed or strongly agreed (the remaining 42.6% either "didn't know" or were "neutral").¹³ Administrators' responses to the question "NSTP has helped with faculty retention" found 14.8% disagreed or strongly disagreed and 46.9% agreed or strongly agreed (the remainder either didn't know or were neutral).¹⁴

A potential study that has not been conducted, but which would perhaps help shed light on the role of NSTP in recruitment and retention, would be to look at intra-campus differences in recruitment and retention success between participating and non-participating departments and schools. One could also look at differences between participating departments at campuses in the NSTP and the corresponding departments at campuses that are not participating.

ii. Engagement in Instruction

The data collected since the beginning of the NSTP show that there has been no negative effects on the instructional mission of the University of California. The most recently collected data continue to support that conclusion. As noted in the Senate-Administration 4th year Taskforce report in 2017, no evidence for a reduction in teaching effort was found. The data collected since that report are consistent with those earlier findings. The inference to be drawn is that, in implementing the NSTP, the participating campuses have paid attention to ensuring participating faculty sustain their teaching efforts. Since the 4th year report, the NSTP was expanded from the original three campuses (Irvine, Los Angeles, and San Diego, the "phase-one campuses") to include Davis, Riverside, and Santa Cruz (the "phase-two campuses"). The new data collected from all of the participating campuses confirm no deleterious effects on faculty engagement in regular instruction. The data also indicate a positive effect on research mentorship, part of UC's educational mission; that result is not surprising in light of the increase in extramural funding obtained by participating faculty. Indeed, it could be argued that the NSTP program, as implemented at some campuses, actually led to an increase in teaching efforts when compared to programs allowing research-active faculty to buy out of teaching with extramural funds. As implemented at San Diego, for example, teaching buyouts were not allowed for faculty participating in the NSTP.

Focusing on the phase-one campuses, the average student credit hours for NSTP enrollees and non-enrollees are seen not to differ in any significant manner, as shown in Figures 21–24 of NSTP P2Y3.

This impression that NSTP has not reduced teaching seems supported by surveys of participating faculty: 96.4% of the surveyed participants report that their teaching either stayed the same (87.3%) or increased (9.1%) while participating in the program.¹⁵

¹³ See "Negotiated Salary Trial Program Phase Two Faculty and Administrator Survey Results."

¹⁴ Source: *ibid.*

¹⁵ Source: *ibid.*

iii. Graduate Student and Postdoctoral Support

The question of potential deleterious effects of the NSTP on the support of graduate students and postdoctoral researchers has been raised since the program was established. However, deleterious effects are not borne out in the data as shown in Figure J of the Research Group Data prepared for this report. For the phase-one campuses, there is a continual increase in the graduate student quarters/semesters supervised, an increase that is particularly striking at Los Angeles and San Diego, the two campuses with the broadest participation in NSTP. In the case of postdoc support, as shown in Figure K of that document, a general increasing trend is also observed, but the increase is not as dramatic as in the case of graduate students. The implication of these data is that the increased research support incentivized by the NSTP does not solely benefit faculty salaries — it is having a significant positive impact consistent with the overall education and research mission of the University of California.

Surveys of participating faculty would seem to support this: 32% of respondents report that their support of graduate students has *increased* due to NSTP (64.7% report no change).¹⁶ Similarly, 22.9% of respondents report that their support of postdoctoral scholars has *increased* due to NSTP (73.5% report no change).¹⁷

It is worth noting that some *non*-participants have concerns about graduate student support, in the 2021 NSTP faculty survey, one respondent, for instance, wrote,

I have been a co-PI on grants where the PI would collect his NSTP but claimed that he couldn't support students who worked on the grant. Then, the students were forced to get a TAsip or support themselves while their work was perfectly fine. The NSTP was paid by the students. Simultaneously, the budget was completely opaque as the PI guarded the info about his NSTP because he wanted to hide this practice and didn't want to offer it to the other PIs. I have witnessed this behavior first hand on several grants and heard anecdotally similar experience[s] from other colleagues. Overall, NSTP has had a perverting role and has led to unethical behavior among unscrupulous PIs who prefer to pay themselves than their students or co-PIs while the program [is] subsidized by TAsips which are in short suppl[y].

iv. Research Mission of the University

An important aspect of the NSTP is that it provides an incentive for participating faculty to increase extramural funding and, thus, increase research expenditures. At the three original NSTP campuses (Irvine, Los Angeles, and San Diego), which have the largest number of participating faculty, research expenditures are on a positive trajectory over the period 2017–18 through 2019–20, as shown in Figure H of the Research Group Data prepared for this report. This is not all going to negotiated salaries: from Figure I of the Research Group Data prepared for this report, we see that the negotiated salary as a proportion of research expenditures is small — on average

¹⁶ Source: *ibid*.

¹⁷ Source: *ibid*.

significantly less than 5%. At the three campuses that joined the program more recently (Davis, Riverside, and Santa Cruz), participation is low relative to the phase-one campuses, which makes interpreting the data more challenging. Among the three campuses new to NSTP, Riverside has the most participating faculty; it has seen a significant increase in enrolled faculty and average expenditures per faculty member over those three years. A critical metric is the average research expenditure per faculty member, in all cases, except Davis (four faculty participating) and Santa Cruz (seven faculty participating), the data show that this metric is continuing to increase.

v. Equity concerns

Equity concerns with the NSTP take many forms: equity across the units on a campus, equity within units, and equity with respect to potentially differential participation by gender and along racial/ethnic lines. At one level, because there are no explicit restrictions on who can participate at the campuses in the NSTP (other than the exclusion of those in the HSCP, whose salary program is NSTP-like), there is equity in that sense. That level is, of course, not the level of concern.

A key question regards participation in the program by women and faculty from underrepresented groups. In this regard, the data from the 2020–2021 NSTP Phase Two Year Three Annual Report (NSTP P2Y3) show that there are not significant differences: women are 27.8% of the enrolled faculty in participating departments, while they represent 29.1% of those departments' overall population. Examining race and ethnicity data, there are some notable differences across groups: African/African American faculty are 1.3% of the enrolled despite being 2.6% of the overall population in participating departments; Asian/Asian Americans are 35.3% of the enrolled despite being 24.1% of the overall population; and White/Other are 57.1% of the enrolled while being 66.4% of the overall population (for other groups their percentage of the enrolled is roughly the same as their percentage of the population). While we might speculate as to reasons for these differences, we have no definitive explanation.

To ameliorate the differences in enrollment rates by demographic group, we recommend that efforts be made to ensure that the NSTP is advertised to all eligible faculty and that eligible faculty, especially at the Assistant Professor rank, receive mentoring concerning participation.¹⁸

As discussed above, the data show that there continues to be a differential in participation as a function of rank. Notably, Assistant Professor enrollment lags their representation in participating departments. (We note, because the proportion of certain racial/ethnic groups is higher at the lower ranks than at the higher ranks, reflecting past trends, practices, and availability, lower Assistant Professor participation rates may have bearing on differential participation rates by race and ethnicity.) Because the current NSTP essentially requires funds from external sources that Assistant Professors typically have not yet obtained, it is perhaps not surprising that their participation rate is lower. Expanding the set of allowable fund sources to include Deans' discretionary funding might have bearing on this difference. As noted earlier, inclusion of such funding could also positively

¹⁸ Survey results indicate that knowledge of the NSTP is far from universal. In a faculty survey, 23% of faculty stated that they weren't aware of the program. An open response exemplifies this, "Neither I (former Chair) nor my current Chair are clear on what this program is or how it has impacted the University, if at all" (source: NSTP Phase Two Faculty Survey 2021).

contribute to recruitment efforts, especially of Assistant Professors. On the other hand, there may be reasons to limit fund sources, as discussed below.

Considering equity across departments, there is considerable variation in the use of the NSTP compensation mechanism across departments. As noted earlier, use is principally in STEM fields. A challenge is that many may see this as inequitable: why should those in fields for which extramural grants or other funds are available be allowed to raise their incomes when other, equally hard-working and distinguished faculty cannot? The 2021 NSTP Faculty Survey reveals a number of faculty who raise such equity issues.¹⁹

Even within participating departments or STEM fields, there are inequities, which are of concern to many. As one respondent wrote in the 2021 NSTP Faculty Survey, “The only people in my School who use the NSTP are NIH funded. No one in my department is NIH funded and hence NTSP generates larger inequities among NIH and NSF funded research than had existed already.” Or as another wrote, “Salary in general is hugely inequitable in my department. The only way I can earn as much as my colleagues who have similar rank and step is through NSTP. I shouldn’t have to do that.”

Another important issue, when considering equity across a campus, arises on campuses that have significant numbers of Health Sciences faculty. On those campuses, HSCP already allows Health Sciences faculty to supplement their UC salary by drawing on funds generated from a variety of external sources. In disciplines at the boundaries of health science fields, including engineering, biology, the physical sciences, and public health, this led — prior to NSTP — to considerable tension; for instance, leading some faculty to seek joint appointments in Health Science units so that they could participate in the HSCP. The advent of the NSTP has largely removed that tension. Thus, while it may have increased some inequities within the general campuses, it reduced inequities between general and health science faculties.

In addition to issues of whether the NSTP is equitable, there are some faculty who in their responses to the 2021 NSTP Faculty survey stated that they find the program unethical.

Another aspect of equity concerns the series of faculty who can participate. With NSTP limited to ladder-rank faculty, in-residence faculty, and lecturers with security of employment on the general campuses, this may be a matter that should be reconsidered. Under the HSCP, other Senate titles (*e.g.*, Professor of Clinical X) can participate, as well as non-Senate titles such as Adjunct Professors. Broadening the titles that can participate in NSTP could be an important step to take in an improved negotiated salary program, including extending eligibility to include the Professional Research series, especially relevant since those faculty are already raising funds to support their appointment.

Although equity issues are a concern, we note that the competition for top scholars has a tendency to lead to salary differentials that may be viewed by some as inequitable. Given the reality of the University of California’s

¹⁹ Example comments include: “this only works for [S]enate faculty with grant funds that allow for salaries. So this doesn’t work for junior faculty without grants yet or those who don’t need grants to do their research, so this program only benefits a certain number of faculty. Not sure about how equitable that makes it”; “I think the very idea of this program is both fundamentally inequitable and allows the UC to avoid its responsibility to pay fair and competitive salaries”; and “The fact that colleagues who are in the same position that I am also get to supplement their salary simply because they’re in the right field is unfair.”

limited resources, there is an inevitable tradeoff between competing with other institutions for world-class scholars and having salary equity, however people might define the latter. Unless public universities are going to cede the battle to private universities, thereby leaving only the elite few able to attend those private universities access to a first-rate education, some acceptance of salary inequities seems inevitable. Acceptance is not, of course, saying that those inequities are desirable. If the University continues and possibly extends the NSTP, it will be incumbent upon it to seek to address any increase in salary inequities in other ways (*e.g.*, by salary equity programs that are part of range adjustments). One possible upside, in this regard, with the NSTP is that if it alleviates competitive pressures that would otherwise require increases to base salaries in recruitments and retentions, then it arguably frees up 19900 and other funds to be used to address inequities (as well as potentially addressing other needs).

vi. Effects on Faculty Compensation across the University

Finally, we consider the effects of the NSTP on overall faculty compensation across all units of the University. It is absolutely essential that NSTP not be seen as a rationale for the state, the Regents, or the Office of the President, not to support competitive faculty salaries across all disciplines. As noted repeatedly, many disciplines within the University have little access to the sort of fund sources that can be utilized for negotiated salaries. Additionally, the negotiated salary component is a less-than-ideal substitute for on-scale or even off-scale salary components, reflecting, among other factors, that the negotiated salary is not covered compensation for UCRP; is inherently uncertain, especially in a national political environment in which the funding of granting agencies is volatile (*e.g.*, one can imagine significant shifts in certain social science funding or climate science funding with changes in the party in control in Washington); and can, as just discussed, exacerbate inequality concerns. Consequently, undue reliance on negotiated salaries as opposed to competitive scales is not desirable.

Although loosening restrictions on the fund sources that can be used for negotiated salaries could perhaps broaden participation, thereby alleviating some of the concerns just raised, it remains true that, at the end of the day, we need to ensure that the fundamental contributions in research, teaching, and service that the University of California makes are properly supported with hard-money faculty salaries that are competitive with our peer institutions — and not subject to the vagaries of funding agencies and other external events.

C. Fund Sources Used and Issues with Fund Sources

From its inception, the NSTP has been designed to permit the use of a variety of fund sources to support the negotiated portion of salary. This is important to allow participation by faculty from disciplines with varying access to different kinds of external funds. It is also critical to demonstrate to funders (especially Federal agencies) that the program draws from a variety of sources.

The NSTP Phase Two Basic Program Document states that:

Only external funds will be used to support this program. “External funds” refers to any non-state-appropriated funds, such as (but not limited to) endowment or gift income, professional degree fees, self-supporting degree fees, and contract and grant support. The Dean or his/her designee will have

responsibility for managing program funds, reviewing the availability of F&A, and covering any unforeseen shortfalls. General Funds cannot be substituted for external funds in support of the program.

The intent of the program is that the faculty member has access to the external funds due to his or her research, teaching, or outreach activities. The funds should not be discretionary funds located in the department, school, college, or campus.

The Program Document emphasizes the importance of external funds in part to ensure that the program functions to encourage faculty to apply for research funding, benefitting the University's research mission. The external funds requirement is also intended to avoid potential subjectivity or other fairness issues that could occur if General Funds or discretionary funds were offered differentially to faculty to support the negotiated component.

The NSTP was designed to be compliant with Federal regulations and University contracts and grants policy. The responsibility for ensuring compliance lies with participating campuses. The Program Document states that:

When Federal projects are involved, the program must be compliant with Federal Uniform Guidance regulations at 2 CFR 200, "Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards." Participating faculty retain their obligation to abide by University policy including Conflict of Interest, Conflict of Commitment, the Faculty Code of Conduct, and the policy on the requirement to submit proposals and receive awards for grants and contracts through the University.

In the 2020-21 academic year, Federal contract and grants (C&G) provided the bulk of the funding support for the NSTP negotiated component, with significant contributions also coming from gift funds and private contracts and grants.²⁰

Fund source	Amount	Percent of Total
Federal C&G Funds	\$9,262,250	56.2%
Gift Funds	\$2,704,002	16.4%
Private C&G Funds	\$1,992,377	12.1%
State C&G funds	\$353,682	2.1%
Endowment Funds	\$352,421	2.1%

²⁰ Percentages in the following table do not sum to 100% due to rounding.

Self-Supporting and Professional Degree Fees	\$213,542	1.3%
Summer Session Fees	\$173,849	1.1%
<i>Other Allowable Funds</i>	\$1,418,472	8.6%
Total	\$16,470,594	100.0%

In discussions, some Taskforce members expressed concerns about two major funding restrictions: restrictions on covering the NIH cap gap and the use of state research funds earmarked for programs administered through the University (*i.e.*, state funds that a PI does not obtain directly through a grant from a state agency). It was felt by some Taskforce members that these restrictions unduly prevent some faculty from participating in NSTP to the fullest extent.²¹ With regard to the NIH cap gap, it has been the practice on some campuses that, if a faculty is *not* participating in NSTP, all non-federal fund sources, including salary savings from 19900 funds, can be used to cover the NIH cap gap. However, if a faculty is participating in NSTP, salary savings from 19900 funds may not be used to pay the NIH gap. Should the NSTP be made permanent, we recommend that how the NIH cap gap be covered not be a function of participation in the NSTP *per se*.²² The second concern has to do with directly appropriated state funds, which may come with restrictions reflecting the language of the underlying legislation, and which have not been deemed suitable for NSTP. Given that those funds function, however, similarly to grants, the reason to exclude them from NSTP is not obvious to many faculty. Moreover, in light of the feedback that the Taskforce received from federal funding agencies, which expressed desire to see resources other than federal grants used for the NSTP or successor program, we encourage UCOP's Research Grants Program Office to revisit this second issue.

D. Assessment of Administrative Cost/Burden

In its current state, the annual administrative cost of implementing the NSTP is very high, with the reporting requirements representing the bulk of this cost. The data collection required involves staff from the departments, Dean's offices, finance offices, Academic Personnel, and Institutional Research.

Although costly and arguably burdensome, the required data collection played a necessary part in assessing the program. It provided valuable information on the program's effects on recruitment and retention, teaching, graduate student and postdoc support, the research mission, and equity as discussed in Sections 3.A and 3.B.

²¹ The NIH sets a maximum monthly pay rate that can be charged to an NIH grant. The difference between a faculty member's actual monthly pay rate and the NIH cap is the "cap gap."

²² Although it may be that some campuses have used 19900 funds in the form of salary savings to cover the NIH cap gap, this Taskforce is uncertain as to whether UC policy actually permits this; hence, in raising this example, we are not seeking to state or define UC policy in this regard.

above. The collection of these data enabled the Taskforce to make an informed decision regarding the future of the program.

As we move from a trial program into policy, there should also be a fundamental change to the type of reporting required and who should provide it. Much of the data that added value to the assessment phase of the program are no longer needed. If required, the data regarding participants (rank, step, ethnicity, gender, etc.) can be extracted at a system-wide level from UCPath. Other reporting elements previously put in place to ensure participant accountability (teaching, lab support, research, etc.) are already addressed in the normal academic review process. As part of the program application process, Chairs and Deans also have the opportunity to weigh in on whether each applicant has fulfilled their “good standing” requirement as listed in Section 4.D. Given this, it seems reasonable to take this opportunity to reduce the administrative burden placed on each campus by removing the reporting requirements used to assess the pilot from the final implementation of the policy.

4. Recommendations

A. Outline of Parameters of an Ideal Negotiated Salary Program (NSP)

We recommend that the Office of the President develop a permanent version of the NSTP, which we refer to here as the Negotiated Salary Program (NSP). We find that early efforts in this regard, as captured by the draft Section 668 of the Academic Personnel Manual (APM), largely reflect what we think the NSP should be.

While recognizing that no program can be perfect, our review of the existing NSTP indicates that its pluses outweigh its minuses; hence, its being made permanent, perhaps with a slightly improved design, is to the benefit of the University. Moreover, even if one were to view the minuses as slightly outweighing the pluses, the foreseeable disruption that ending the program would cause would be substantial and should not be taken lightly.

We recommend that all campuses should be permitted to participate in the NSP, although we support reasonable campus-level autonomy in implementation.

We are strongly of the view that the NSP must be designed in a manner consistent not only with the rules and regulations of the University of California, but also consistent with its ethos, specifically equity, fairness, and a commitment to comprehensive excellence. For this reason, it is essential that any NSP

- **Not** be seen as an excuse by the Office of the President or the Regents to avoid addressing salary scales that continue to be non-competitive with the institutions with which the campuses compete for faculty talent. The citizens of California deserve access to higher education provided by the best faculty. Moreover, given the spillovers that the University creates in terms of the innovations, entrepreneurship, and an educated workforce that make the California economy the envy of the world, it is essential that the University of California remain competitive in all areas of scholarship;
- **Not** become a means by which some faculty can reduce their teaching loads. While it is not this Taskforce’s intent to limit the existing discretion departments, schools, and campuses may have in defining their workload policies, we believe an NSP policy should not permit reductions in workload that are granted solely on the basis of participation in the NSP or that are intended to facilitate participation in the NSP.

Reduced workloads create inequities insofar as other faculty must pick up the slack, which imposes both direct burdens on them and financial burdens on campuses in terms of funding replacement teaching;

- **Not** result in a reduction in graduate student support or research opportunities for undergraduate students;
- **Not** result in a shifting of the costs of equipment and supplies to the campuses;
- **Not** become a factor in faculty members' merits and promotions. Participation in an NSP should *per se* be neutral with regard to the merit and promotion process, neither being a rationale to award a faculty member more or less of a merit increase, either in step or in terms of the off-scale portion of pay, than they would have deserved had they not participated in the NSP; and
- **Not** become an excuse for campuses to ignore equity issues as they pertain to faculty salaries, especially, but not only, with regard to equity across gender and racial/ethnic lines.

Although we believe firmly that an NSP should have no direct effect on the merit and promotion process, we do think that campuses should be permitted, if they wish, to consider NSP participation when designing campus-level salary equity programs (*i.e.*, programs of the sort that were mandated in the late twenty-teens or programs that campuses have from time to time adopted on their own). In this regard, such flexibility seems no different than that already afforded campuses to consider, for instance, faculty members' academic disciplines in their equity programs. At the same time, the Taskforce is not recommending that campuses *must* take NSP participation into account in their salary equity programs.

We believe that goals of the NSP should include:

- Leveraging non-19900 funds to recruit and retain outstanding faculty; and
- Provide incentives that encourage and recognize significant contributions to the University mission.

Broadly, the NSP is a way for faculty to augment their salaries on a temporary basis by negotiating to use suitable non-19900 funds to raise their academic-year salaries above their permanent academic-year salaries.

We believe, as was the intention in the proposed Section 668 of the APM and as true of the NSTP, that the negotiated salary component should not be covered compensation under the University of California Retirement Plan (UCRP) and should, therefore, have a lower composite benefit rate attached to it than a faculty member's academic-year salary (fiscal-year if they have a fiscal-year appointment).

B. Allowable Funding Sources

i. What sources?

The funds that can be used for paying the negotiated portion of the salary cannot be 19900 funds. In particular, they cannot be state-appropriated funds or drawn from tuition paid by students in state-supported projects. In theory, the sources of funds that can be used are:

- Funds from grants and contracts;
- Gifts;
- Endowment income; and

- Professional degree and self-supporting degree fees.

At the same time, it is noted that the last of these (using degree fees) may be fraught politically and, moreover, to the extent they can be used to provide competitive salaries, there may be better ways to do so outside of an NSP (see §4.B.iii below).

It is noted, however, that a program that limits funding to external grants and contracts only may create problems with granting agencies.

ii. Who decides about fund sources?

Because different campuses within the UC system have different approaches to the use of non-19900 funds, we believe some campus autonomy is desirable in defining appropriate fund sources. As an example, the Berkeley campus has sought to move most of its endowed chairs to an honorific-with-modest-scholarly-allowance model, utilizing most of the endowment payout to support its overall faculty salary pool and graduate students. Some of its endowed chairs, however, give all the endowment payout to the chair holder because the unalterable terms of the original gift dictate doing so. If the Berkeley campus permitted chair payout to be a source of funding under NSP, then this could exacerbate inequities among the holders of the different types of chairs. Granting Berkeley—and other campuses—the ability to exclude endowed chair income from an NSP or limit its use would thus be an example of where some degree of campus autonomy is arguably appropriate.

iii. Alternative approaches/salary programs

The goal of the NSP is to provide a mechanism to pay competitive salaries that will aid the UC in competing for and retaining the best faculty. It is, however, only one possible mechanism; hence, it is worth making note of alternative mechanisms that, in some circumstances, may be superior to NSP or that may have desirable features lacking in NSP:

1. Overload teaching

A rationale for using professional and self-supporting degree fees for NSP could be that it provides a means of compensating faculty for teaching in those programs as an overload. We note, however, that there are existing mechanisms for directly paying faculty for overload teaching, which are likely easier to implement. A further advantage to existing mechanisms could be that direct payment for overload teaching makes clear how those fees are supporting the programs charging them, which could be politically advantageous when it comes to the setting or increasing those fees.

If an NSP permits a negotiated salary component for teaching, it can be overload teaching only. Teaching done as part of a standard course load cannot be compensated under an NSP.

2. Competitive salary plans

Particularly with respect to institutional funds, such as degree fees or endowment gifts, an alternative means of ensuring competitive salaries is to use those funds to help cover the off-scale portion of faculty salaries. At some campuses, such as Berkeley, this is done via a special salary plan, Berkeley's Haas School of Business's salary plan—the Faculty Excellence Program—being a notable example.

Some pros to special salary plans (i.e., why they may be advantageous vis-à-vis NSP):

- Pay increases under them are permanent, so likely to be more highly valued by faculty than negotiated salaries that could be temporary.
- The compensation is covered compensation under the University of California Retirement Plan (UCRP), which adds to the value for faculty.
- Depending on how salaries are reviewed on a campus, a plan may be more consistent with norms of shared governance insofar as there is greater opportunity for Academic Senate review, both in their establishment and in their ongoing administration.

Some cons to special salary plans (i.e., why NSP could have advantages):

- Because compensation under a special salary plan is covered under UCRP and because it may, therefore, face a higher composite benefits rate, it is more costly to the university for each dollar received by a faculty member than an NSP.
- Because special-salary-plan compensation is permanent, it exposes the campus to risk should the underlying source of funding disappear (e.g., demand for a professional degree drops precipitously or market fluctuations adversely affect the endowment).

C. Limitations

i. NSP and summer salary

Because summer salary is far easier to administer than NSP, we believe that a principle of an ideal NSP—and perhaps even a requirement—is that, to be eligible for NSP, the candidate must be taking the maximum amount of summer salary available to them. We note that three campuses (Davis, Los Angeles, and Riverside) already impose such a rule under NSTP; moreover, 88.2% of NSTP participants across the system are receiving three summer ninths.²³ Consequently, there is little evidence that imposing a rule requiring one to take the maximum number of ninths would have a notable effect on behavior.

ii. Caps on NSP augmentation (e.g., as percentage of pay, total amounts, etc.)

We recommend that there be a cap on the negotiated salary component such that it cannot exceed 30% of the sum of the faculty member's on-scale and off-scale portions of pay. Although some faculty respondents in surveys object to that limit, suggesting that perhaps there should be no limit, we believe that the absence of a

²³ Source: Figure 20 of NSTP P2Y3.

limit or a limit that is set too high may create perverse incentives. Moreover, the absence of a limit or one that is too high will serve to exacerbate some of the salary inequities discussed in Section 3.B.v.

iii. Intersection with APM 025

The ideal NSP policy must be sure that the NSP accords with existing UC rules and regulations governing conflict of commitment and conflict of interest. Provided doing so would not raise issues as to appropriate commitment of effort on the grants or other extramural funding, faculty participating in the NSP would be permitted to engage in outside activities in accordance with APM 025.

D. Issues of Administration

i. Eligibility for participation

Individuals in the Senior Management Group (SMG), those who are full-time Deans (as defined by APM 240), or those who are full-time faculty administrators (as defined by APM 246) should *not* be eligible to participate.

An individual may not participate in an NSP if participation would disrupt the individual's fulfilling of their duties.

1. "Good standing" requirements

To participate in an NSP, faculty should be Good Standing. Although some leeway should be permitted in campus implementation plans to define Good Standing, any such definition must specify that Good Standing means, *inter alia*,

- A. Meeting department/school/college/campus expectations with regard to both the amount of teaching being done and the quality of that teaching;
- B. Meeting department/school/college/campus expectations with regard to service as understood for that faculty member's rank and step;
- C. Meeting department/school/college/campus expectations with regard to scholarly or creative activity;
- D. Not being unduly decelerated in merit reviews either with respect to time or step (note accommodation can be granted for factors such as childbearing/care, illness, or general disruptions, such as pandemics); and
- E. Not being suspended for violation of the Faculty Code of Conduct (APM 015). A reduction in pay, rank, or step imposed as a disciplinary action, as permitted by APM 016, can terminate someone's participation in an NSP. As a measure agreed to via an Early Resolution in lieu of formal discipline (as defined in and encouraged by Senate Bylaw 336), a faculty member can agree that they are ineligible to participate in an NSP for a defined period of time.

2. Definition of “faculty member”

a. *what series*

We recommend that all Senate faculty members not in the HSCP be allowed to participate in an NSP, subject to the restrictions set forth elsewhere in §4.D.i.

b. *full-time requirements*

To be eligible, a faculty member must hold a full-time appointment at UC. Faculty with part-time appointments can add a partial and temporary appointment in the Researcher series (APM 310) to receive additional salary under grants or the Adjunct Professor series (APM 280) for payment from other sources.

ii. Timing of negotiations versus achieving funding

We recommend that total negotiated salaries be in effect for a one-year period corresponding with the University fiscal cycle of July 1 – June 30. Once a total negotiated salary has been implemented it must be maintained for that period. No changes to that negotiated salary may be approved. Similarly, a negotiated salary cannot be put in place retroactively.

To meet that requirement, we recommend that negotiations for a given fiscal year conclude well in advance of its start. To minimize risk to the University, the fund source(s) that will be used to pay the negotiated salary portion must (a) be known and reasonably secure at the time of the negotiation and (b) must be in a form that would permit the negotiated salary to be paid evenly over the year; that is, funds must either be expendable across the year or have provisions that would permit smoothing. So, e.g., if the funds are supposed to cover an increase of \$1500 a month (including benefits), but will be received on October 1st, then the campus can bill those funds at \$2000 a month to recoup its having fronted the salary in July, August, and September. Similarly, if the funds will expire before the end of the year (so, e.g., received July 1st, but must be fully spent by March 31st), then the campus can bill those funds at \$2000 a month to ensure it has funds for the final three months of the year. Although the total negotiated salary should be evenly distributed through the year, the charges to individual grants do not need to be evenly distributed. For example, if the performance period of a particular grant ends in February, this grant can be used for part of the year and another funding source be used for the balance of the year.

iii. Setting (Negotiating) the Negotiated Salary Portion

Although campus implementation plans may vary, we recommend that all plans require the following with respect to negotiation/review:

1. Individual faculty will be responsible for submitting a proposal in a timely fashion to their department chair or unit head. To ensure fairness, transparency, and the collection of appropriate information, each plan should have a common application form. The proposal must identify the source(s) of funding.
2. Department chairs (unit heads) are responsible for evaluating faculty proposals. They are asked to indicate whether they believe faculty members are in Good Standing.

3. Deans are responsible for reviewing and endorsing individual faculty proposals and for assuring that appropriate resources are available for the total negotiated salary. The Dean is responsible for determining whether a faculty member is in Good Standing after input from the department chair. Any faculty member who is deemed not to be in Good Standing must be provided with written information regarding how to return to Good Standing. Campus implementation guidelines should specify a process of appeal/reconsideration of a determination that a faculty member is not in Good Standing.
4. On campuses in which the Committee on Academic Personnel (CAP) or its equivalent review salaries, CAP should review the total negotiated salary unless the campus CAP elects to waive such review.
5. Executive Vice Chancellors/Provosts or their designees are responsible for approving faculty proposals.

iv. Contingency funds and dealing with funding shortfalls

Because negotiated salaries are not to be paid from 19900 funds and because funding for negotiated salaries could fall through (e.g., the funding agency withdraws a grant), campuses must have a strategy to cover negotiated salaries should the originally identified funds ultimately prove unavailable.

One strategy would be to create a contingency fund against such contingencies. Another strategy would be, if there is a shortfall, the campus covers it, but does so from non-19900 funds at its disposal (e.g., reserves of non-19900 funds or funds functioning as an endowment).

Yet another strategy would be to require units (department or decanal) to commit to cover shortfalls, either through their own contingency funds or from non-19900 funds at their disposal.

Any implementation plan should set forth an appropriate and prudent plan for dealing with shortfalls. If it entails a contingency fund, it must set forth how the fund will be funded and managed.

v. Data collection/expectations going forward

We believe that, while not as extensively as was done for the NSTP, campuses should monitor an NSP and collect data sufficient to allow them to:

- Ensure that participants in the NSP are meeting expectations with respect to teaching and service;
- Identify differences in utilization across units, faculty at different ranks, and by gender and racial/ethnic lines;
- Understand the effect of the program on faculty retention; and
- Assess the use of staff/administrative time required to implement the NSP.

vi. Issues with inter-campus transfers

We recommend that the Office of the President, in consultation with the leadership of the campuses and the Academic Senate, develop a policy that governs what kinds of offers may be extended in inter-campus recruitments that touch on NSP. In particular—and in the spirit of APM 510—we are wary of the recruiting campus being able to dangle a negotiated salary augmentation in recruiting (paid for, say, by endowment income or degree fees).

E. Development of Campus Level Implementation Plans

We recommend that each campus develop an implementation plan for its NSP. Such a plan should, at very least, provide details on:

- What are permitted funding sources.
- Details on the definition of Good Standing.
- Details on the criteria by which proposals will be assessed.
- Details on the review process.
- How stability of the plan will be maintained; in particular, how will shortfalls in funding be handled in a manner that does not mean using 19900 funds (at least not without reimbursement).
- What data will be collected and who will be responsible for its collection.

i. Who reviews the campus plans?

We believe the Vice Provosts/Vice Chancellors who oversee academic personnel issues should take the lead in developing campus plans in consultation with other administrators and the campus-level Academic Senate. Ultimately, the Chancellor or Executive Vice Chancellor/Provost should approve the plan. We believe some consultation with the Office of the President, particularly its Academic Personnel and Programs office and the Office of the General Counsel, would be wise to ensure both compliance with the overall University policy as set forth in a new section of the APM and a reasonable degree of harmony across the campuses. That said, while some degree of harmony is desirable, we recognize that the various campuses vary in many ways, including in how they handle academic personnel process and how they structure other aspects of their operation; hence, variation in campus plans is to be expected as it will help ensure that the campuses' NSPs best suit campus needs.

ii. What are the restrictions on those plans?

Any campus plan must accord with all UC policies and regulations, including any new provision of the APM put in place to govern NSPs. We have set forth above various restrictions and limitations that we recommend apply to all NSPs (*i.e.*, that must be satisfied in all campus implementations).

The UC Office of the President should communicate to the campuses in a timely manner any changes in UC policies and regulations that might require the campuses to modify their NSPs. Similarly, should any legal ruling, change in granting agency policy, or other change in government policy (*e.g.*, tax law) necessitate modifications of local NSPs, the UC Office of the President should communicate that information to the campuses in a timely manner.

iii. Systemwide review

Although we advocate for as much local autonomy as feasible, the overarching UC policy on NSPs should have provisions for periodic review of campus implementation plans to ensure their compliance with applicable UC policy and regulations, granting agency restrictions, and applicable federal and state law. Moreover, that

overarching policy should have stipulations so that data collected by the campuses can be reviewed at the system level as part of its continued assessment and monitoring of these plans.

5. Appendices

A. Charge letter for Taskforce

See attached.

B. APM 668 (draft)

See attached.

C. Relevant data

See attached.

APPENDIX A - Charge Letter to Taskforce
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OFFICE OF THE PROVOST AND
EXECUTIVE VICE PRESIDENT FOR ACADEMIC AFFAIRS

OFFICE OF THE PRESIDENT
1111 Franklin Street, 12th Floor
Oakland, California 94607-5200

October 11, 2021

**MEMBERS OF THE NEGOTIATED SALARY TRIAL PROGRAM PHASE 2
TASKFORCE**

Dear Colleagues:

I am pleased to inform you that you have been appointed to serve on the joint Senate-Administration taskforce to review Phase 2 of the Negotiated Salary Trial Program (NSTP). This Taskforce will review the Negotiated Salary Trial Program (NSTP) and advise me on next steps for the program.

In keeping with my approval of the NSTP Phase 2, I am convening this Taskforce to review data from the first three years of NSTP Phase 2, in the context of the report and recommendations from the previous NSTP Fourth Year Taskforce, in order to make recommendations on whether to institutionalize the program in policy or to end it. I am asking this Taskforce to provide its report by April 1, 2022 so that planning for continuation or termination of the program can occur during the recently approved fifth year (2022-23) of NSTP Phase 2.

The membership of the Taskforce will be as follows:

Benjamin Hermalin, Vice Provost for the Faculty (UCB), Taskforce Chair
Kelley Barsanti, Associate Professor, Chemical & Environmental Engineering (UCR)
Robert Continetti, Senior Associate Vice Chancellor for Academic Affairs (UCSD)
Christopher Lynch, Dean, College of Engineering (UCR)
Jeffrey Moehlis, Professor and Chair, Mechanical Engineering (UCSB)
Nico Orlandi, Professor, Philosophy (UCSC)
Hollis Skaife, Professor, Accounting (UCD)
Yifang Zhu, Senior Associate Dean for Academic Programs, School of Public Health (UCLA)

Vice Provost Hermalin has agreed to chair the Taskforce, service for which I am very grateful. Jean Chin, Director of Systems, Data, & Compensation Initiatives at UCI, has also agreed to serve as an advisor to the Taskforce. Academic Personnel and Programs (APP) at UCOP will support the work of the Taskforce, including Vice Provost Susan Carlson and APP staff members Director Gregory Sykes, Analyst Kaylin Jue, and Administrative Officer Jimmy Johnson.

APPENDIX A - Charge Letter to Taskforce

October 11, 2021

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Background

On February 5, 2013, then Provost and Executive Vice President Aimée Dorr approved moving forward with the Negotiated Salary Trial Program (NSTP) on three campuses: UC Irvine, UC Los Angeles, and UC San Diego. She approved a five-year trial program from July 1, 2013 through June 30, 2018, asking for a full Taskforce review of the program in year four to make "informed judgments" about its future.

A joint Senate-Administration Taskforce convened to review the program and issued its report to Provost Dorr on June 22, 2017, recommending continuation of the program under certain conditions. Subsequently, on July 13, 2017, Provost Dorr circulated the Taskforce recommendations for systemwide review, with comments due November 30, 2017. During systemwide review, there was input from the Academic Senate, including comments from nine campuses and six systemwide committees. In addition, academic administrators on all ten campuses also provided comments.

After a thorough review of this input as well as the recommendations of the Taskforce, and after additional conversations with Academic Senate leaders and campus administration, I accepted the Taskforce recommendation to extend the Trial Program for an additional four years, adding a fifth year of "wind-down" should the program not be continued after four years. The program would run from July 1, 2018 through June 30, 2022, with fiscal year 2022-2023 as a transition year, if needed. (As noted above, this fifth year has been added to Phase 2 to allow the Taskforce and stakeholders to complete a review of the program.) As part of the extension plan, additional campuses were invited to participate in the program, and three more (UC Riverside, UC Davis, and UC Santa Cruz) chose to do so.

To address the recommendation of the Fourth Year Taskforce that more effective metrics be designed for the extended trial period, we convened a working group in the spring of 2018 to "develop appropriate metrics and data collection to allow for informed decisions at the end of the trial". The working group consisted of one member of the administration from a campus that participated in Phase 1 and one from a non-participating campus, as well as one Senate faculty member from a participating campus and three from non-participating campuses. The recommendations of this working group were incorporated into subsequent reports for Years 1 and 2 of Phase 2. Data for Year 3 was collected during the summer of 2021.

Charge

The main responsibility of the Taskforce will be to direct the development of a report on the NSTP and make recommendations about continuance of the program. The Taskforce will be expected to consult as needed during its review. The Taskforce report will provide a summary and an analysis of Phases 1 and 2 of the program, with a focus on Phase 2, including data collected as a part of the annual reporting process.

The Taskforce will meet approximately five times between October 2021 and April 2022. You will be contacted soon by staff from Academic Personnel and Programs to set up meetings for the Fall Quarter/Semester.

APPENDIX A - Charge Letter to Taskforce

October 11, 2021

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I am most appreciative of your willingness to serve on this important Taskforce. I look forward to receiving your report.

Sincerely,

A handwritten signature in blue ink that reads "Michael T. Brown". The signature is fluid and cursive, with the first name "Michael" being the most prominent part.

Michael T. Brown, Ph.D.
Provost and
Executive Vice President for Academic Affairs

cc: Academic Council Chair Horwitz
Academic Council Vice Chair Cochran
Executive Vice Chancellors and Provosts
Vice Provost Carlson
Vice Provosts/Vice Chancellors Academic Personnel/Academic Affairs
Associate Vice Provost Lee
Director Sykes
Analyst Jue

668-0 Policy

The Negotiated Salary Program (NSP) allows the University to provide additional compensation to faculty who are in Good Standing. Faculty will participate in the program for (renewable) periods of one to two years, based on an annual review process. NSP supplements the salary (rank, step, off-scale) determined in accordance with the academic review process for faculty.

668-2 Purpose

The purpose of the Negotiated Salary Program is to provide a common administrative framework within which participating units (schools, colleges, or departments) can compensate faculty according to the competitive requirements of academic disciplines. Specific goals of this Program are:

- a. To leverage non-state-appropriated funds to recruit and retain outstanding faculty.
- b. To encourage the appropriate mix of teaching, research, and service activities of the quality required by the University of California.
- c. To provide incentives that encourage and recognize significant contributions to the University mission.
- d. To offer consistent benefits and privileges to general campus faculty.

668-4 Definitions

- a) **Total Negotiated Salary:** The total negotiated salary will be comprised of the covered salary (for rank and step plus any off-scale component) and a negotiated salary component. Negotiations will be conducted annually to determine an individual's total negotiated salary for the following NSP period;

these discussions begin with the participating faculty member and the department chair and recommendations are forwarded to other reviewers as outlined in 668-6.

The scale and off-scale component are covered under the University of California Retirement Plan (UCRP) up to the amount permissible under law and in accordance with UCRP provisions and regulations. The negotiated component of salary is not covered compensation under UCRP but may be subject to an employee/employer matching contribution to the University's Defined Contribution Plan (DCP). [A DCP process for NSP is being developed during fall 2011.] All compensation paid by the University under the NSP 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.

- b) **External Funding:** For the purposes of this policy, external funding refers to any non-state-appropriated funds, such as (but not limited to) endowment or gift income, professional degree fees, self-supporting degree fees, and contract and grant support. Campus implementation plans will detail which external funding sources can be used in support of this program.
- c) **Good Standing:** The definition of Good Standing includes, but is not limited to, meeting teaching, research, and service obligations as defined by the unit implementation plan, and compliance with all applicable University policies, procedures, and training requirements.

668-6 Responsibility

The overall goals of the program are to position the institution to excel and to increase flexible funding for the units involved. Responsibility for the excellence that generates non-state-appropriated funds rests at all levels.

APPENDIX B - APM 668 (draft)

SALARY ADMINISTRATION

Additional Compensation – Negotiated Salary Program

APM - 668
NEW POLICY
DRAFT
8/26/11

- a) Faculty members are responsible for remaining in Good Standing and for exemplary contributions to the University mission, e.g. external recognition, research dissemination, educational innovation, and the generation of non-state-appropriated funding to support faculty activities. To participate, faculty members submit a proposal to the department chair.
- b) Department chairs are responsible for evaluating faculty proposals and for verifying that faculty members are making significant contributions to the University mission.
- c) Review of a total negotiated salary is determined according to campus policy and practice and may include review by the Committee on Academic Personnel (CAP), in accordance with established campus practice.
- d) Deans are responsible for reviewing and endorsing individual faculty proposals and for assuring that appropriate resources are available for the total negotiated salary. The dean is responsible for determining whether a faculty member is in Good Standing after input from the department chair and the faculty member. Any faculty member who is determined not to be in Good Standing must be provided with written information regarding how to return to Good Standing.
- e) Executive Vice Chancellors/Provosts are responsible for approving faculty proposals. This authority may be re-delegated.
- f) Chancellors are responsible for managing the negotiated salary program at the campuses. This authority may be re-delegated.

668-10 Criteria**a) Implementation Plans**

An implementation plan must be developed and approved for each participating unit and its faculty. Implementation plans will include a limit on the percent of salary for the total negotiated salary and the percent required to establish the contingency fund, in addition to the following:

1. Process and timing for soliciting, receiving, and reviewing faculty proposals.
2. Process for evaluating faculty proposals.
3. Method for predicting and defining the appropriate stability of the Program.
4. Management of the contingency fund that supports the Program.
5. Process for consulting with faculty on the development of Good Standing criteria.
6. Approval hierarchy.
7. Notification and documentation process.

b) Determination of the Total Negotiated Salary

The total negotiated salary for each faculty member will be recommended by the appropriate dean after consultation with the department chair and before or after consultation with CAP (on campuses where CAP has input into salary

recommendations). Each proposed total negotiated salary must be based on past performance and current responsibilities. It is not based solely on the availability of funds. See APM - 668-6 for approval responsibilities.

The funding must be derived from a stable source, paid in accordance with any related fund source restrictions, and sufficient to include the related benefits costs. The funding source(s) must be secured or scheduled by June 30 of the year prior to implementation of the total negotiated salary.

c) Maintenance of the Total Negotiated Salary

Total negotiated salaries are effective for a one- or two-year period corresponding with the University fiscal cycle of July 1 - June 30. Once a total negotiated salary has been implemented it must be maintained for that period. No changes or retroactivity may be approved. Even when State funds are released and effort is supported by external funds, in no case will a faculty member's State-funded covered salary be permanently reduced as a result of participation in this Program.

d) Regular Duties

Participation in this program may not disrupt the required balance in duties or otherwise negatively impact a faculty member's regular research, teaching or service obligations. Teaching done as a part of the standard course load would not make a faculty member eligible for the NSP.

668-14 Eligibility

Faculty members who are in Good Standing are eligible to apply for participation in the Negotiated Salary Program provided all other conditions of the campus plan are

APPENDIX B - APM 668 (draft)

SALARY ADMINISTRATION

Additional Compensation – Negotiated Salary Program

APM - 668
NEW POLICY
DRAFT
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met and provided their unit has a plan. Faculty members who are participating in the Health Sciences Compensation Plan may not participate. A participating unit may adopt the plan for all faculty members through a process established in the implementation plan document.

668-16 Limitations

External consulting and other externally compensated activities are permitted in accordance with APM - 025, Conflict of Commitment.

The Chancellor must establish a campus or school maximum percent of total negotiated salary and the percent required to establish the contingency fund.

If a faculty member transfers from one UC campus to another, s/he must renegotiate his/her salary according to the implementation plan at the new campus.

668-24 Authority

The Chancellor has authority to determine whether the campus will participate in the Negotiated Salary Program after consultation with the campus Academic Senate and Executive Vice Chancellor/Provost.

The Chancellor has authority to approve NSP implementation plans and any modifications or limits to the total negotiated salary component.

The above authority may be re-delegated.

APPENDIX B - APM 668 (draft)

SALARY ADMINISTRATION

Additional Compensation – Negotiated Salary Program

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668-96 Reports

This policy will be evaluated by the Office of the President at the end of three years to ensure that its goals are being met.

APPENDIX C1 - Utilization & Research Group Data

Section 1: NSTP Utilization – Phase 1 and Phase 2

Figure A
NSTP Participation by Campus and by Year
Headcounts of faculty participants

Campus	Phase 1					Phase 2		
	2013-14	2014-15	2015-16	2016-17	2017-18	2018-19	2019-20	2020-21
Irvine	38	45	48	57	70	70	77	93
Los Angeles	34	80	90	92	117	116	124	133
San Diego	82	100	95	126	124	125	133	130
Riverside						16	28	19
Davis							6	12
Santa Cruz							11	12
Total	154	225	233	275	311	327	379	399

Figure B
NSTP Participation by Gender of Enrolled Faculty Compared to All Faculty in Participating Departments

Gender		Phase 1					Phase 2		
		2013-14	2014-15	2015-16	2016-17	2017-18	2018-19	2019-20	2020-21
Women	Enrolled Faculty	22.7%	20.4%	20.6%	21.1%	23.2%	23.9%	25.1%	27.8%
	Overall Population in Participating Departments	22.1%	24.0%	24.1%	25.6%	27.5%	26.1%	26.9%	29.1%
Men	Enrolled Faculty	77.3%	79.6%	79.4%	78.9%	76.8%	76.1%	74.9%	72.2%
	Overall Population in Participating Departments	77.9%	76.0%	75.9%	74.4%	72.5%	73.9%	73.1%	70.9%

Figure C
NSTP Participation by Race/Ethnicity of Enrolled Faculty Compared to All Faculty in Participating Departments

Race/Ethnicity		Phase 1					Phase 2		
		2013-14	2014-15	2015-16	2016-17	2017-18	2018-19	2019-20	2020-21
African/African American	Enrolled Faculty	0.7%	1.3%	1.3%	2.2%	1.3%	1.2%	0.3%	1.3%
	Overall Population in Participating Departments	2.2%	1.5%	1.4%	1.5%	2.5%	2.3%	2.7%	2.6%
Asian/Asian American	Enrolled Faculty	21.6%	28.9%	30.0%	29.1%	30.5%	35.2%	35.6%	35.3%
	Overall Population in Participating Departments	16.9%	21.4%	22.0%	22.4%	22.6%	25.5%	25.7%	24.1%
Chicano(a)/Latino(a)/Hispanic	Enrolled Faculty	2.6%	3.1%	3.4%	2.9%	3.5%	4.6%	6.6%	6.0%
	Overall Population in Participating Departments	6.5%	5.0%	5.1%	5.1%	5.7%	5.3%	6.3%	6.7%
Native American/American Indian	Enrolled Faculty	0.0%	0.0%	0.0%	0.0%	0.6%	0.3%	0.3%	0.3%
	Overall Population in Participating Departments	0.1%	0.1%	0.2%	0.2%	0.2%	0.2%	0.3%	0.2%
White/Other	Enrolled Faculty	75.2%	66.7%	65.2%	65.8%	64.0%	58.7%	57.3%	57.1%
	Overall Population in Participating Departments	74.3%	72.0%	71.4%	70.8%	69.0%	66.7%	65.0%	66.4%

APPENDIX C1 - Utilization & Research Group Data

Figure D

NSTP Participation by Rank of Enrolled Faculty Compared to All Faculty in Participating Departments

		Phase 1					Phase 2		
Rank		2013-14	2014-15	2015-16	2016-17	2017-18	2018-19	2019-20	2020-21
Assistant Professor	Enrolled Faculty	8.4%	7.1%	11.2%	13.5%	11.9%	13.1%	17.4%	15.0%
	Overall Population in Participating Departments	14.8%	14.8%	15.1%	17.0%	18.1%	20.9%	22.4%	23.0%
Associate Professor	Enrolled Faculty	27.9%	23.6%	21.9%	19.6%	21.5%	16.2%	16.6%	22.1%
	Overall Population in Participating Departments	19.1%	17.9%	17.8%	17.7%	16.3%	15.9%	15.7%	17.1%
Professor	Enrolled Faculty	63.6%	69.3%	67.0%	66.9%	66.6%	70.6%	66.0%	62.9%
	Overall Population in Participating Departments	66.1%	67.3%	67.1%	65.3%	65.7%	63.3%	61.8%	59.9%

Figure E

NSTP Participation by Discipline

		Phase 1					Phase 2		
Discipline		2013-14	2014-15	2015-16	2016-17	2017-18	2018-19	2019-20	2020-21
Biological Sciences		34	38	45	57	58	58	68	72
Engineering		41	102	105	114	133	150	180	177
Information and Computer Science		9	8	9	13	14	17	16	15
Management		2	6	7	10	14	9	10	15
Marine Sciences		8	12	7	6	9	10	11	8
Other*		6	6	8	11	15	15	18	23
Physical Sciences		24	25	25	32	36	41	47	45
Public Health		25	22	24	22	22	20	23	32
Social Sciences		5	6	3	10	10	7	6	12
Total		154	225	233	275	311	327	379	399

		Phase 1					Phase 2		
Discipline		2013-14	2014-15	2015-16	2016-17	2017-18	2018-19	2019-20	2020-21
Biological Sciences		22.1%	16.9%	19.3%	20.7%	18.6%	17.7%	17.9%	18.0%
Engineering		26.6%	45.3%	45.1%	41.5%	42.8%	45.9%	47.5%	44.4%
Information and Computer Science		5.8%	3.6%	3.9%	4.7%	4.5%	5.2%	4.2%	3.8%
Management		1.3%	2.7%	3.0%	3.6%	4.5%	2.8%	2.6%	3.8%
Marine Sciences		5.2%	5.3%	3.0%	2.2%	2.9%	3.1%	2.9%	2.0%
Other*		3.9%	2.7%	3.4%	4.0%	4.8%	4.6%	4.7%	5.8%
Physical Sciences		15.6%	11.1%	10.7%	11.6%	11.6%	12.5%	12.4%	11.3%
Public Health		16.2%	9.8%	10.3%	8.0%	7.1%	6.1%	6.1%	8.0%
Social Sciences		3.2%	2.7%	1.3%	3.6%	3.2%	2.1%	1.6%	3.0%
Total		100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%

* For Phase 1, “Other” includes Asian Languages and Cultures, Criminology, Education, Germanic Languages, Global Policy and Strategy/International Relations, Pharmaceutical Sciences, Psychology & Social Behavior, School of Nursing and Visual Arts.

For Phase 2, “Other” includes Education, Global Policy and Strategy, Music, Information Studies, Pharmaceutical Sciences, Nursing, Psychological Science, Social Welfare, Asian Languages and Cultures, and Germanic Languages.

APPENDIX C1 - Utilization & Research Group Data

Figure F

Negotiated Salary Increment by Discipline

Discipline	Phase 1					Phase 2		
	2013-14	2014-15	2015-16	2016-17	2017-18	2018-19	2019-20	2020-21
Biological Sciences	\$975,277	\$1,077,646	\$1,307,081	\$1,764,724	\$1,770,113	\$1,900,578	\$1,969,325	\$2,703,978
Engineering	\$629,568	\$3,209,992	\$4,054,977	\$4,653,707	\$5,596,015	\$6,427,623	\$6,548,570	\$7,919,056
Information and Computer Science	\$323,413	\$361,141	\$371,919	\$544,831	\$592,727	\$795,425	\$710,500	\$729,350
Management	\$32,200	\$113,700	\$161,200	\$254,800	\$367,900	\$258,300	\$130,100	\$504,100
Marine Sciences	\$110,050	\$204,900	\$135,800	\$111,900	\$168,200	\$195,500	\$135,700	\$168,600
Other*	\$162,702	\$181,467	\$222,033	\$368,637	\$558,285	\$525,085	\$706,675	\$946,070
Physical Sciences	\$664,364	\$788,178	\$927,658	\$986,595	\$1,411,302	\$1,461,214	\$1,549,075	\$1,859,600
Public Health	\$687,320	\$651,481	\$732,457	\$777,803	\$771,229	\$793,430	\$858,800	\$1,268,140
Social Sciences	\$80,630	\$84,957	\$28,700	\$194,456	\$248,651	\$261,825	\$132,400	\$371,700
Total	\$3,665,524	\$6,673,463	\$7,941,825	\$9,657,454	\$11,484,422	\$12,618,980	\$12,741,145	\$16,470,594

Discipline	Phase 1					Phase 2		
	2013-14	2014-15	2015-16	2016-17	2017-18	2018-19	2019-20	2020-21
Biological Sciences	26.6%	16.1%	16.5%	18.3%	15.4%	15.1%	15.5%	16.4%
Engineering	17.2%	48.1%	51.1%	48.2%	48.7%	50.9%	51.4%	48.1%
Information and Computer Science	8.8%	5.4%	4.7%	5.6%	5.2%	6.3%	5.6%	4.4%
Management	0.9%	1.7%	2.0%	2.6%	3.2%	2.0%	1.0%	3.1%
Marine Sciences	3.0%	3.1%	1.7%	1.2%	1.5%	1.5%	1.1%	1.0%
Other*	4.4%	2.7%	2.8%	3.8%	4.9%	4.2%	5.5%	5.7%
Physical Sciences	18.1%	11.8%	11.7%	10.2%	12.3%	11.6%	12.2%	11.3%
Public Health	18.8%	9.8%	9.2%	8.1%	6.7%	6.3%	6.7%	7.7%
Social Sciences	2.2%	1.3%	0.4%	2.0%	2.2%	2.1%	1.0%	2.3%
Total	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%

* For Phase 1, "Other" includes Asian Languages and Cultures, Criminology, Education, Germanic Languages, Global Policy and Strategy/International Relations, Pharmaceutical Sciences, Psychology & Social Behavior, School of Nursing and Visual Arts.

For Phase 2, "Other" includes Education, Global Policy and Strategy, Music, Information Studies, Pharmaceutical Sciences, Nursing, Psychological Science, Social Welfare, Asian Languages and Cultures, and Germanic Languages.

Figure G

Base Salary, Negotiated Salary Increment and Total Annual Salary

Enrolled Faculty, by Campus

ALL CAMPUSES	Phase 1					Phase 2		
	2013-14*	2014-15	2015-16	2016-17	2017-18	2018-19	2019-20	2020-21
Headcount	154	225	233	275	311	327	379	399
Base Salary	\$21,092,300	\$33,671,144	\$35,987,270	\$43,439,989	\$51,716,700	\$57,357,400	\$68,009,017	\$71,468,300
Negotiated Salary Increment	\$3,693,902	\$6,673,463	\$7,941,825	\$9,657,454	\$11,484,422	\$12,618,980	\$12,741,145	\$16,470,594
Total Salary (Base Salary + Negotiated Salary Increment)	\$24,786,222	\$40,344,607	\$43,929,095	\$53,097,443	\$63,201,122	\$69,976,380	\$80,750,162	\$87,938,894
% of Negotiated to Total Salary	14.9%	16.5%	18.1%	18.2%	18.2%	18.0%	15.8%	18.7%

* For 2013-14, salary data was collected on a projected basis; this resulted in differences in the negotiated salary increment once the final fiscal year data was tallied.

APPENDIX C1 - Utilization & Research Group Data

Figure G.1

**Base Salary, Negotiated Salary Increment and Total Annual Salary
Enrolled Faculty, by Campus (*Phase 1 Campuses*)**

	<i>Phase 1</i>					<i>Phase 2</i>		
IRVINE	2013-14*	2014-15	2015-16	2016-17	2017-18	2018-19	2019-20	2020-21
Headcount	38	45	48	57	70	70	77	93
Base Salary	\$4,881,300	\$5,918,300	\$6,249,400	\$8,244,800	\$10,776,500	\$11,394,500	\$12,641,800	\$14,951,300
Negotiated Salary Increment	\$1,136,628	\$1,368,039	\$1,439,625	\$1,874,588	\$2,360,222	\$2,679,988	\$2,919,900	\$3,572,590
Total Salary (Base Salary + Negotiated Salary Increment)	\$6,017,928	\$7,286,339	\$7,689,025	\$10,119,388	\$13,136,722	\$14,074,488	\$15,561,700	\$18,523,890
% of Negotiated to Total Salary	18.9%	18.8%	18.7%	18.5%	18.0%	19.0%	18.8%	19.3%

	<i>Phase 1</i>					<i>Phase 2</i>		
LOS ANGELES	2013-14*	2014-15	2015-16	2016-17	2017-18	2018-19	2019-20	2020-21
Headcount	34	80	90	92	117	116	124	133
Base Salary	\$4,559,000	\$12,513,444	\$14,650,500	\$15,626,200	\$20,663,700	\$21,935,300	\$23,757,500	\$25,361,000
Negotiated Salary Increment	\$960,274	\$2,755,824	\$3,364,700	\$3,677,000	\$4,879,600	\$4,958,600	\$4,790,725	\$5,948,100
Total Salary (Base Salary + Negotiated Salary Increment)	\$5,519,274	\$15,269,268	\$18,015,200	\$19,303,200	\$25,543,300	\$26,893,900	\$28,548,225	\$31,309,100
% of Negotiated to Total Salary	17.4%	18.0%	18.7%	19.0%	19.1%	18.4%	16.8%	19.0%

	<i>Phase 1</i>					<i>Phase 2</i>		
SAN DIEGO	2013-14*	2014-15	2015-16	2016-17	2017-18	2018-19	2019-20	2020-21
Headcount	82	100	95	126	124	125	133	130
Base Salary	\$11,652,000	\$15,239,400	\$15,087,370	\$19,568,989	\$20,276,500	\$21,571,500	\$24,425,300	\$24,612,800
Negotiated Salary Increment	\$1,597,000	\$2,549,600	\$3,137,500	\$4,105,866	\$4,244,600	\$4,651,983	\$3,770,286	\$5,461,100
Total Salary (Base Salary + Negotiated Salary Increment)	\$13,249,020	\$17,789,000	\$18,224,870	\$23,674,855	\$24,521,100	\$26,223,483	\$28,195,586	\$30,073,900
% of Negotiated to Total Salary	12.1%	14.3%	17.2%	17.3%	17.3%	17.7%	13.4%	18.2%

* For 2013-14, salary data was collected on a projected basis; this resulted in differences in the negotiated salary increment once the final fiscal year data was tallied.

APPENDIX C1 - Utilization & Research Group Data

Figure G.2

**Base Salary, Negotiated Salary Increment and Total Annual Salary
Enrolled Faculty, by Campus (*Phase 2 Campuses*)**

	<i>Phase 1</i>					<i>Phase 2</i>		
RIVERSIDE	2013-14	2014-15	2015-16	2016-17	2017-18	2018-19	2019-20	2020-21
Headcount						16	28	19
Base Salary						\$2,456,100	\$4,484,700	\$2,776,700
Negotiated Salary Increment						\$328,409	\$716,900	\$618,000
Total Salary (Base Salary + Negotiated Salary Increment)						\$2,784,509	\$5,201,600	\$3,394,700
% of Negotiated to Total Salary						11.8%	13.8%	18.2%

	<i>Phase 1</i>					<i>Phase 2</i>		
DAVIS	2013-14	2014-15	2015-16	2016-17	2017-18	2018-19	2019-20	2020-21
Headcount							6	12
Base Salary							\$1,030,617	\$1,890,500
Negotiated Salary Increment							\$217,334	\$400,604
Total Salary (Base Salary + Negotiated Salary Increment)							\$1,247,951	\$2,291,104
% of Negotiated to Total Salary							17.4%	17.5%

	<i>Phase 1</i>					<i>Phase 2</i>		
SANTA CRUZ	2013-14	2014-15	2015-16	2016-17	2017-18	2018-19	2019-20	2020-21
Headcount							11	12
Base Salary							\$1,669,100	\$1,876,000
Negotiated Salary Increment							\$326,000	\$470,200
Total Salary (Base Salary + Negotiated Salary Increment)							\$1,995,100	\$2,346,200
% of Negotiated to Total Salary							16.3%	20.0%

APPENDIX C1 - Utilization & Research Group Data

Section 2: Research Groups – Phase Two Only

Figure H

Research Expenditures in 2017-18, 2018-19, and 2019-20 Faculty Enrolled in Both 2019-20 and 2020-21

Analysis on the research expenditures in 2017-18, 2018-19, and 2019-20 for the subset of enrolled faculty who participated in both 2019-20 and 2020-21. Includes only those individuals for whom research expenditures were reported.

Research expenditure data were collected for prior years due to lags in data collection.

Campus		2017-18	2018-19	2019-20
Davis	Number of Faculty		4	4
	Total Research Expenditures		\$8,776,203	\$2,493,636
	Average Expenditures per faculty member		\$2,194,051	\$623,409
Irvine	Number of Faculty	58	64	55
	Total Research Expenditures	\$44,154,175	\$58,134,674	\$50,453,092
	Average Expenditures per faculty member	\$761,279	\$908,354	\$917,329
Los Angeles	Number of Faculty	72	95	102
	Total Research Expenditures	\$69,914,324	\$88,429,652	\$108,161,917
	Average Expenditures per faculty member	\$971,032	\$930,838	\$1,060,411
Riverside	Number of Faculty	9	15	15
	Total Research Expenditures	\$3,485,353	\$8,207,710	\$9,191,668
	Average Expenditures per faculty member	\$387,261	\$547,181	\$612,778
San Diego	Number of Faculty	96	97	102
	Total Research Expenditures	\$102,952,406	\$101,031,340	\$114,341,586
	Average Expenditures per faculty member	\$1,072,421	\$1,041,560	\$1,120,996
Santa Cruz	Number of Faculty		7	7
	Total Research Expenditures		\$6,438,890	\$4,642,966
	Average Expenditures per faculty member		\$919,841	\$663,281

* Davis and Santa Cruz joined the program in 2019-20.

APPENDIX C1 - Utilization & Research Group Data

Figure I

Negotiated Salary as a Proportion of Research Expenditures

Analysis on the research expenditures in enrolled faculty compared to the total negotiated increments. Includes only those individuals for whom research expenditures were reported for a NSTP participation year.

Campus		2017-18	2018-19	2019-20
Davis	Total Research Expenditures			\$2,493,636
	Total Negotiated Increments			\$149,393
	% of Total Research Expenditures spent on Negotiated Increments			6.0%
Irvine	Total Research Expenditures	\$40,509,097	\$53,768,012	\$50,453,092
	Total Negotiated Increments	\$1,740,285	\$2,049,500	\$2,308,300
	% of Total Research Expenditures spent on Negotiated Increments	4.3%	3.8%	4.6%
Los Angeles	Total Research Expenditures	\$74,766,882	\$92,786,315	\$108,161,917
	Total Negotiated Increments	\$3,231,800	\$3,897,100	\$4,162,975
	% of Total Research Expenditures spent on Negotiated Increments	4.3%	4.2%	3.8%
Riverside	Total Research Expenditures		\$7,645,876	\$9,191,668
	Total Negotiated Increments		\$286,979	\$432,600
	% of Total Research Expenditures spent on Negotiated Increments		3.8%	4.7%
San Diego	Total Research Expenditures	\$94,426,776	\$102,585,787	\$114,341,586
	Total Negotiated Increments	\$3,312,200	\$3,808,750	\$3,213,900
	% of Total Research Expenditures spent on Negotiated Increments	3.5%	3.7%	2.8%
Santa Cruz	Total Research Expenditures			\$4,642,966
	Total Negotiated Increments			\$197,000
	% of Total Research Expenditures spent on Negotiated Increments			4.2%

* Riverside joined the program in 2018-19; Davis and Santa Cruz joined the program in 2019-20.

** For 2017-18, Phase 1 Negotiated increment data was used for Irvine, Los Angeles, and San Diego.

APPENDIX C1 - Utilization & Research Group Data

Figure J

Research Group - Graduate Student Support

Analysis on the GSR and TAs supported by the subset of enrolled faculty who participated in both 2019-20 and 2020-21.

Campus		2016-17	2017-18	2018-19	2019-20
Davis	Number of Faculty		4	4	4
	Graduate Students - Quarters/Semesters Supervised		100	152	104
	TA/Reader - Quarters/Semesters Supported		1	24	14
	Outside Fellowship - Quarters/Semesters Supported		8	12	20
	Without Salary - Quarters/Semesters		0	4	4
Irvine	Number of Faculty	52	67	67	67
	Graduate Students - Quarters/Semesters Supervised	340	526	513	559
	TA/Reader - Quarters/Semesters Supported	163	173	130	231
	Outside Fellowship - Quarters/Semesters Supported	134	209	216	201
	Without Salary - Quarters/Semesters	38	33	31	32
Los Angeles	Number of Faculty	75	102	102	102
	Graduate Students - Quarters/Semesters Supervised	589	883	1155	1265
	TA/Reader - Quarters/Semesters Supported	122	168	197	283
	Outside Fellowship - Quarters/Semesters Supported	144	262	341	340
	Without Salary - Quarters/Semesters	16	56	35	25
Riverside	Number of Faculty	10	15	15	15
	Graduate Students - Quarters/Semesters Supervised	156	231	294	345
	TA/Reader - Quarters/Semesters Supported	24	27	24	50
	Outside Fellowship - Quarters/Semesters Supported	100	152	145	185
	Without Salary - Quarters/Semesters	0	12	14	3
San Diego	Number of Faculty	89	110	110	110
	Graduate Students - Quarters/Semesters Supervised	934	1311	1338	1608
	TA/Reader - Quarters/Semesters Supported	68	92	105	13
	Outside Fellowship - Quarters/Semesters Supported	137	32	30	72
	Without Salary - Quarters/Semesters	195	35	19	31
Santa Cruz	Number of Faculty		7	7	7
	Graduate Students - Quarters/Semesters Supervised		51	49	60
	TA/Reader - Quarters/Semesters Supported		19	22	11
	Outside Fellowship - Quarters/Semesters Supported		20	53	60
	Without Salary - Quarters/Semesters		0	1	0

* Data was collected for two prior years. Davis and Santa Cruz joined the program in 2019-20.

** For San Diego, TA/Readers are block funded by the department so they are unable to always assign to specific faculty member/research groups.

APPENDIX C1 - Utilization & Research Group Data

Figure K

Research Group - Postdoc Support

Analysis on the Postdocs supported by the subset of enrolled faculty who participated in both 2019-20 and 2020-21.

Campus		2016-17	2017-18	2018-19	2019-20
Davis	Number of Faculty		4	4	4
	Number of Postdocs		6	4	3
	Total Percent Effort of Postdocs		4.9	3.4	3.0
Irvine	Number of Faculty	52	67	67	67
	Number of Postdocs	54	62	88	66
	Total Percent Effort of Postdocs	52.0	57.6	83.6	63.5
Los Angeles	Number of Faculty	75	102	102	102
	Number of Postdocs	77	122	119	125
	Total Percent Effort of Postdocs	74.9	108.4	114.8	118.4
Riverside	Number of Faculty	10	15	15	15
	Number of Postdocs	9	13	21	26
	Total Percent Effort of Postdocs	8.0	13.0	19.5	25.0
San Diego	Number of Faculty	89	110	110	110
	Number of Postdocs	157	178	180	238
	Total Percent Effort of Postdocs	109.4	155.4	157.3	184.8
Santa Cruz	Number of Faculty		7	7	7
	Number of Postdocs		12	13	16
	Total Percent Effort of Postdocs		12.0	13.0	16.0

* Data was collected for two prior years. Davis and Santa Cruz joined the program in 2019-20.

APPENDIX C1 - Utilization & Research Group Data

Figure L

Research Group - Overall

Analysis on the entire research group supported by the subset of enrolled faculty who participated in both 2019-20 and 2020-21.
(Includes Graduate Students, Postdocs, and Staff)

Campus		2016-17	2017-18	2018-19	2019-20
Davis	Number of Faculty		4	4	4
	Number of Research Group Members		48	47	49
	Total Percent Effort of Research Group Members		27.9	29.2	29.0
Irvine	Number of Faculty	52	67	67	67
	Number of Research Group Members	355	477	517	512
	Total Percent Effort of Research Group Members	221.9	298.2	336.0	346.0
Los Angeles	Number of Faculty	75	102	102	102
	Number of Research Group Members	351	554	686	741
	Total Percent Effort of Research Group Members	203.6	304.1	386.6	411.8
Riverside	Number of Faculty	10	15	15	15
	Number of Research Group Members	65	102	141	146
	Total Percent Effort of Research Group Members	40.3	61.6	83.8	90.8
San Diego	Number of Faculty	89	110	110	110
	Number of Research Group Members	783	924	940	1141
	Total Percent Effort of Research Group Members	332.6	496.9	526.3	569.1
Santa Cruz	Number of Faculty		7	7	7
	Number of Research Group Members		38	46	51
	Total Percent Effort of Research Group Members		26.4	31.0	33.5

* Data was collected for two prior years. Davis and Santa Cruz joined the program in 2019-20.

APPENDIX C1 - Utilization & Research Group Data

Figure M

Research Group Support - Pre-NSTP and During NSTP

Analysis on the entire research group supported by the subset of enrolled faculty where research group data was available pre-NSTP and during NSTP.

Total Research Group

Campus		Pre-NSTP	During NSTP
Davis	Average FTE of Research Group Member	0.59	0.59
	Average Headcount of Research Group	10.3	10.5
Irvine	Average FTE of Research Group Member	0.66	0.64
	Average Headcount of Research Group	4.8	7.8
Los Angeles	Average FTE of Research Group Member	0.53	0.55
	Average Headcount of Research Group	4.8	7.0
Riverside	Average FTE of Research Group Member	0.62	0.60
	Average Headcount of Research Group	8.4	10.0
San Diego	Average FTE of Research Group Member	0.47	0.49
	Average Headcount of Research Group	6.2	8.4
Santa Cruz	Average FTE of Research Group Member	0.68	0.66
	Average Headcount of Research Group	6.0	7.3

Graduate Students

Campus		Pre-NSTP	During NSTP
Davis	Average FTE of Graduate Students	0.49	0.50
	Average Headcount of Graduate Students	7.3	7.5
Irvine	Average FTE of Graduate Students	0.57	0.55
	Average Headcount of Graduate Students	2.6	5.2
Los Angeles	Average FTE of Graduate Students	0.45	0.46
	Average Headcount of Graduate Students	3.3	4.9
Riverside	Average FTE of Graduate Students	0.55	0.52
	Average Headcount of Graduate Students	5.9	7.9
San Diego	Average FTE of Graduate Students	0.36	0.38
	Average Headcount of Graduate Students	3.3	4.7
Santa Cruz	Average FTE of Graduate Students	0.55	0.50
	Average Headcount of Graduate Students	4.2	5.0

APPENDIX C1 - Utilization & Research Group Data

Postdocs

Campus		Pre-NSTP	During NSTP
Davis	Average FTE of Postdocs	0.79	1.00
	Average Headcount of Postdocs	1.0	0.6
Irvine	Average FTE of Postdocs	0.93	0.92
	Average Headcount of Postdocs	0.9	1.0
Los Angeles	Average FTE of Postdocs	0.95	0.97
	Average Headcount of Postdocs	0.7	1.2
Riverside	Average FTE of Postdocs	0.96	0.96
	Average Headcount of Postdocs	1.4	1.7
San Diego	Average FTE of Postdocs	0.87	0.83
	Average Headcount of Postdocs	1.3	1.7
Santa Cruz	Average FTE of Postdocs	1.00	1.00
	Average Headcount of Postdocs	1.8	2.3

Staff/Other

Campus		Pre-NSTP	During NSTP
Davis	Average FTE of Staff/Other	0.88	0.79
	Average Headcount of Staff/Other	1.9	2.4
Irvine	Average FTE of Staff/Other	0.65	0.74
	Average Headcount of Staff/Other	1.3	1.5
Los Angeles	Average FTE of Staff/Other	0.47	0.51
	Average Headcount of Staff/Other	0.8	1.0
Riverside	Average FTE of Staff/Other	0.57	0.75
	Average Headcount of Staff/Other	1.1	0.4
San Diego	Average FTE of Staff/Other	0.39	0.44
	Average Headcount of Staff/Other	1.6	2.1
Santa Cruz	Average FTE of Staff/Other	0	0
	Average Headcount of Staff/Other	0	0

APPENDIX C2 - 2021 NSTP Faculty & Administrator Survey

NSTP Phase Two Faculty and Administrator Survey Development

The June 15, 2012 draft Implementation Procedures for a Negotiated Salary Trial Program described the need for surveys to be used to assess the effectiveness of the General Campus Negotiated Salary Trial Program (NSTP) on the three campuses participating in the trial (Irvine, Los Angeles, and San Diego). The procedures specified that “faculty and administrators with expertise in survey design and administration would develop surveys for faculty and administrators involved to assess whether conflicts of interest and commitment ensued over the course of the program, whether departmental morale was affected, and whether the program successfully helped faculty recruitment and retention.”

In May 2018, the NSTP Phase Two Metrics Working Group, comprised of Senate faculty and administrators, was convened by the Provost. The work group developed quantitative and qualitative metrics to be used for assessing the program. The survey instruments focused on these key areas:

- Has faculty recruitment and retention been positively/negatively impacted?
- Have department climate and functioning been positively/negatively impacted?
- Has research been positively/negatively impacted?
- Has teaching been positively/negatively impacted?
- Has graduate student and postdoc support been positively/negatively impacted?
- Have faculty contributions to University and public service been positively/negatively impacted?
- Do the benefits of the program for faculty outweigh the administrative burdens of the program?

NSTP Phase Two Faculty Survey Administration

On April 21, 2021, the faculty web-based survey was sent to 3,240 faculty members in units participating in the third year of the program on the Davis, Irvine, Los Angeles, Riverside, San Diego, and Santa Cruz campuses. Six hundred forty eight faculty members took the survey, yielding an overall response rate of approximately 20%. Response rates varied substantially between program participants (enrolled faculty) and non-participants. Among NSTP participants in Year 3, 276 of the 399 individuals surveyed responded to at least one of the survey questions, yielding a response rate of 69%. 372 of the 3,021 surveyed non-participants took part in the survey, resulting in a response rate of approximately 12%. (Of these, thirty respondents had previously participated in NSTP in 2019-20, but did not participate in 2020-21. For the purposes of this report, their responses are categorized as Participants.)

The survey questions are shown below. Participants responded to items about the program’s impact on their own work-related activities, satisfaction with the program, and the program’s perceived impact on the University. Non-participants were surveyed on their familiarity with the program, their eligibility to participate, and whether the program is a positive asset to the University. Open ended comments were solicited on many of these questions.

APPENDIX C2 - 2021 NSTP Faculty & Administrator Survey**NSTP Faculty Survey Instrument**

Survey Question	Response Group
1. Are you currently participating in the Negotiated Salary Trial Program (aka the General Campus Compensation Plan at UC San Diego) in the 2020-21 academic year?*	All Respondents
2. Did you participate in the program last year (2019-20)?*	All Respondents
3. Do you plan to apply to participate in the program in academic year 2021-22?	All Respondents
4. How familiar are you with the program?	All Respondents
5. Please explain why you did not participate in the program in 2019-20 and/or 2020-21. Check all that apply.	Non-Participants Only
6. What motivated you to participate in the program? Check all that apply.	Participants Only
7. Have you modified your TEACHING LOAD while participating in the program?	Participants Only
8. Have you modified your SERVICE ACTIVITIES while participating in the program?	Participants Only
9. Has the program affected your support of graduate students?	Participants Only
10. Has the program affected your hiring of postdocs?	Participants Only
11. Has participation in the program affected your grant writing activity?	Participants Only
12. Have you modified the focus or nature of your research during your participation in the program?	Participants Only
13. Based on your experiences, please rate your level of satisfaction with the following aspects of the program.	Participants Only
14. Please indicate your level of agreement with the following statements.	All Respondents
15. In your opinion, has the program affected the morale of faculty in your department?	All Respondents
16. In your opinion, is the program a positive asset for the University?	All Respondents
17. For statistical purposes only, please provide us with the following information. Reporting data will be aggregated to protect the identity of individual respondents. (Campus)	All Respondents

APPENDIX C2 - 2021 NSTP Faculty & Administrator Survey

18. For statistical purposes only, please provide us with the following information. Reporting data will be aggregated to protect the identity of individual respondents. (School/Division/College)	All Respondents
19. For statistical purposes only, please provide us with the following information. Reporting data will be aggregated to protect the identity of individual respondents. (Rank)	All Respondents
20. For statistical purposes only, indicate your gender identity by selecting one of the options. Reporting data will be aggregated to protect the identity of individual respondents.	All Respondents
21. For statistical purposes only, select the answer which best describes your race/ethnicity. Reporting data will be aggregated to protect the identity of individual respondents.	All Respondents
22. Any additional comments about the program?	All Respondents

* Participants are defined as faculty who participated in NSTP Phase 2 (2019-20 and/or 2020-21). Non-participants did not participate in the program in either year.

APPENDIX C2 - 2021 NSTP Faculty & Administrator Survey

NSTP Phase Two Faculty Survey Response Summary

Faculty participants in this Phase Two survey indicated general satisfaction with the program. Approximately eighty-eight percent were satisfied or highly satisfied with the negotiated salary. A majority were “satisfied” or “highly satisfied” with the application process and program administration – 72% and 79%, respectively. A large majority – 90% – will reportedly reapply for 2021-22, and 97% of program participants indicated that the program was a “positive asset to the University.” In contrast, 79% of non-participants will not apply for 2021-22, and only 66% indicated that the program was a “positive asset to the University.”

The top five reasons faculty gave for participating in the program were: 1) to bring my salary to market rates (81%), 2) to augment my salary (68%), 3) to allow me to spend more time on my University research (51%), 4) to make it possible to turn down an outside offer (40%), and 5) to allow me to reduce outside consulting as additional income (38%).

Comments from program participants also indicate general satisfaction with the program. The final question of the survey was: “Any additional comments about the program?” The majority of program participants’ comments in this section viewed the program in a favorable light and advocated continuation of the program, especially with regards to the recruitment and retention of faculty.

Program participants were less satisfied with the administrative process and voiced concerns about the restrictive funding rules (specifically the NIH salary cap), deadlines, and excessive contingency fund requirements.

A majority of the non-participants’ comments were neutral or negative. Criticisms of the program mainly focused on increasing salary inequities as a result of the program’s implementation and the complexity of the application process and program rules which prevented participation. Nearly twenty percent of non-participants’ who commented had no awareness of the program.

Participants were asked how the program affects teaching, public service activities, graduate student support, and postdoctoral scholar hiring. One faculty member indicated that they reduced their teaching load as a result of the program. One faculty member indicated that they reduced their service activities as a result of the program. Three faculty members indicated that they reduced their support for graduate students and two faculty members indicated that they reduced their postdoc hiring as a result of participation in the program.

Participants were also asked how the program impacted their level of grant writing and the focus/nature of their research. Sixty-six percent of respondents indicated that they increased their grant writing activity as a result of the program, while thirty-two percent reported no change in their level of grant writing. Eighty-nine percent of respondents reported that the focus/nature of their research has not change as a result of this program, while eight percent reported that they modified the focus/nature of their research as a result of the program. Summary responses to the survey are below.

NSTP Phase Two Faculty Survey Response Summary Relative to Prior Years

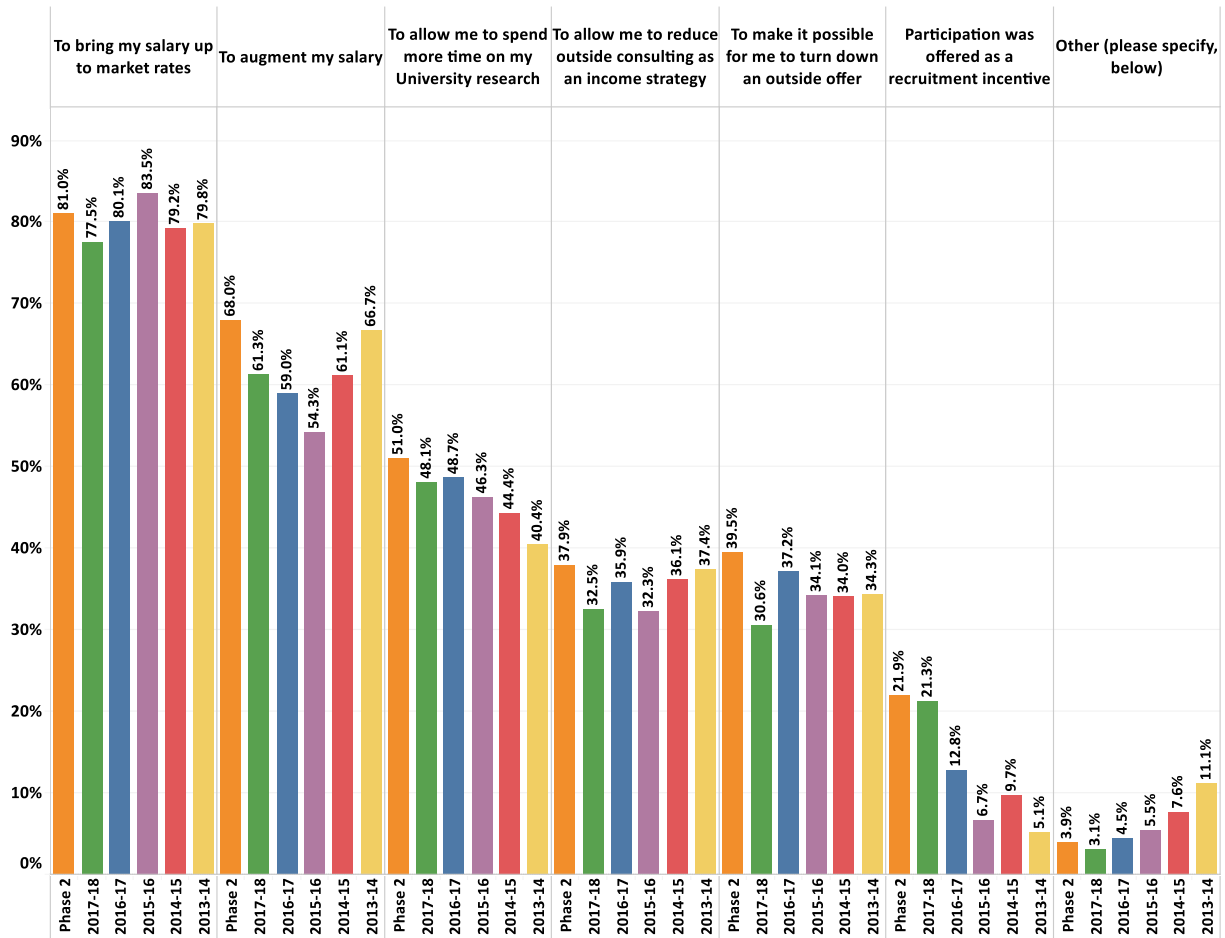
Compared to the last survey conducted in 2017-18 during the fifth year of Phase One of the program, the Phase Two survey results are largely the same. In 2017-18, 97% of participants in the program agreed that it was an asset to the university (the same percentage for Phase Two). The top five reasons faculty gave for participating in the program were also similar. Figure 1 offers a side by side comparison, with the relative percentages of the top five reasons in each of the first five years compared to Phase Two: “to bring my salary up to market rates”, “to augment my salary”, “to allow me to spend more time on my University research”, “to make it possible for me to turn down an outside offer”, and “to allow

APPENDIX C2 - 2021 NSTP Faculty & Administrator Survey

me to reduce outside consulting as an income strategy”. Bringing salary up to market rates increased slightly as a motivation for participating (from 78% to 81%). Most of the other reasons also increased slightly (augmenting salary from 61% to 68%, allowing faculty to spend more time on University research from 48% to 51%, turning down an outside offer from 31% to 40%, and reducing outside consulting from 33% to 38%).

Figure 1.

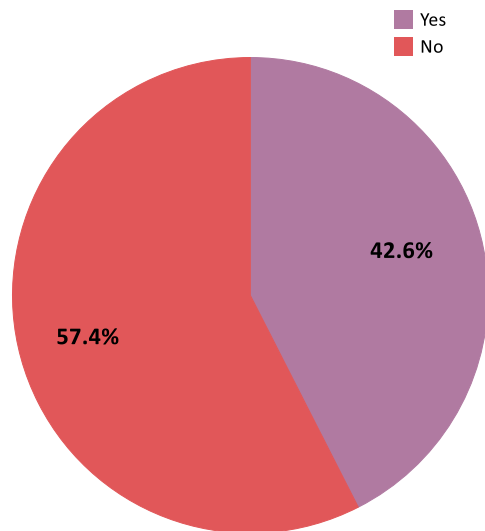
What motivated you to participate in the program? (2013-14, 2014-15, 2015-16, 2016-17, 2017-18, and Phase 2 Responses)



APPENDIX C2 - 2021 NSTP Faculty & Administrator Survey

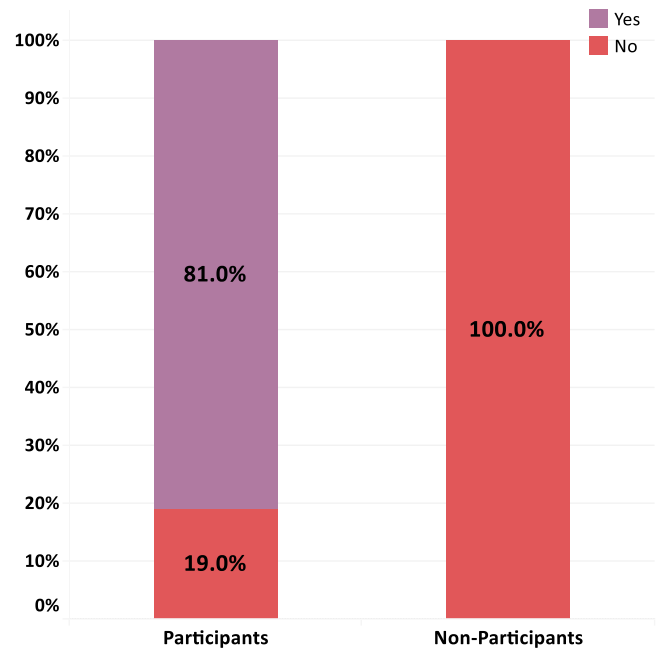
Question 1.

Are you currently participating in the Negotiated Salary Trial Program (aka the General Campus Compensation Plan at UC San Diego) in the 2020-21 academic year? (All Respondents)



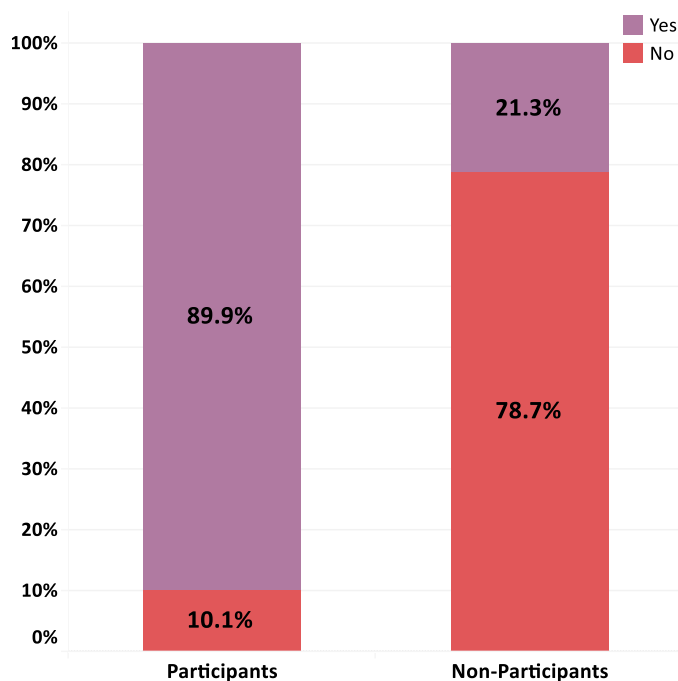
Question 2.

Did you participate in the program last year (2019-20)? (All Respondents)



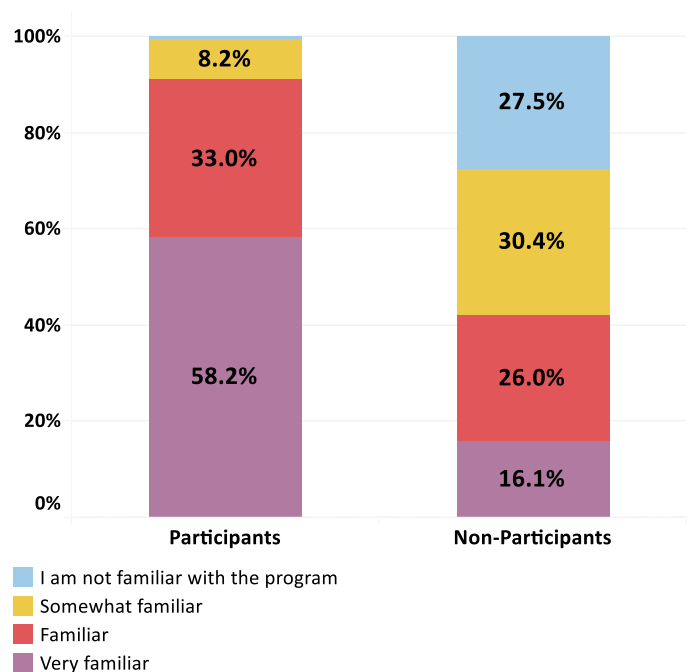
Question 3.

Do you plan to apply to participate in the program in academic year 2021-22? (All Respondents)



Question 4.

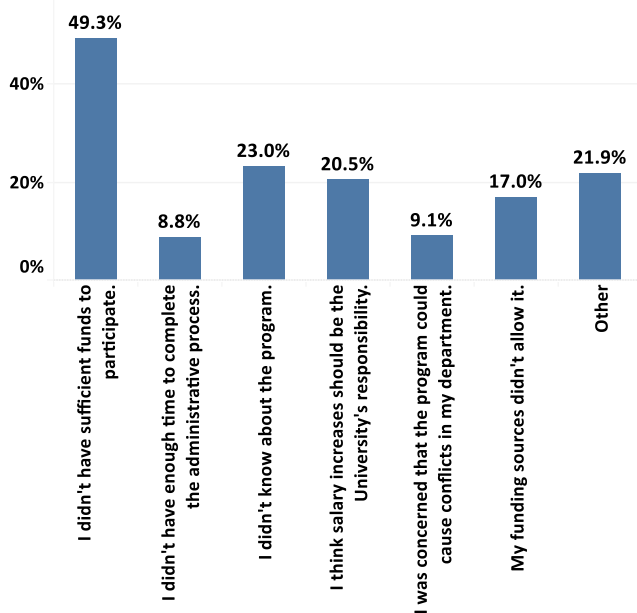
How familiar are you with the program? (All Respondents)



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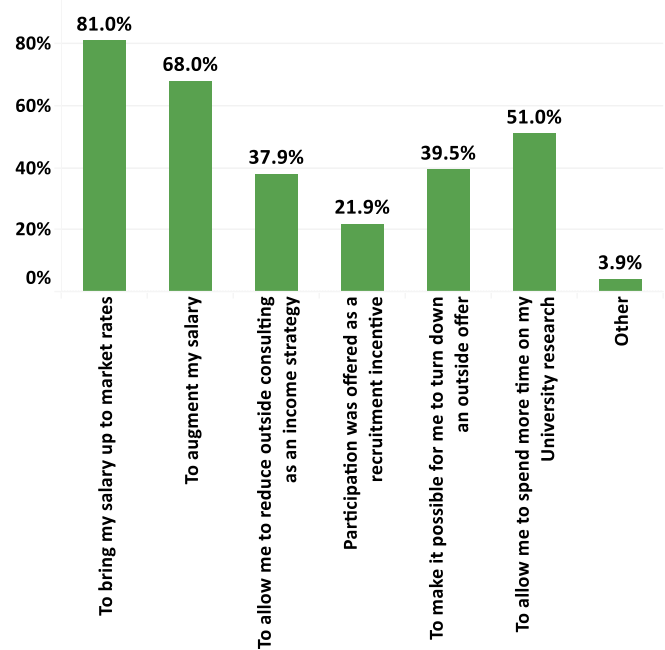
Question 5.

Please explain why you did not participate in the program in 2019-20 and/or 2020-21. Check all that apply. (Non-Participants in 2019-20 OR 2020-21)



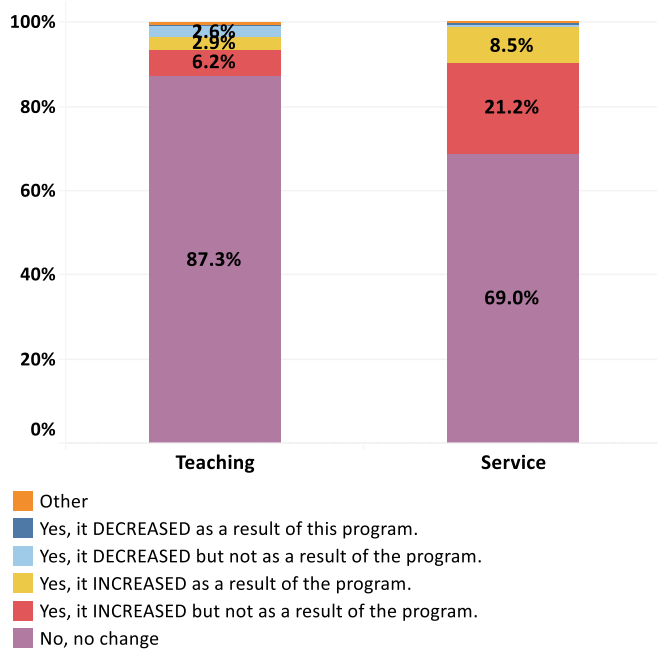
Questions 6.

What motivated you to participate in the program? Check all that apply. (Participants in 2019-20 OR 2020-21)



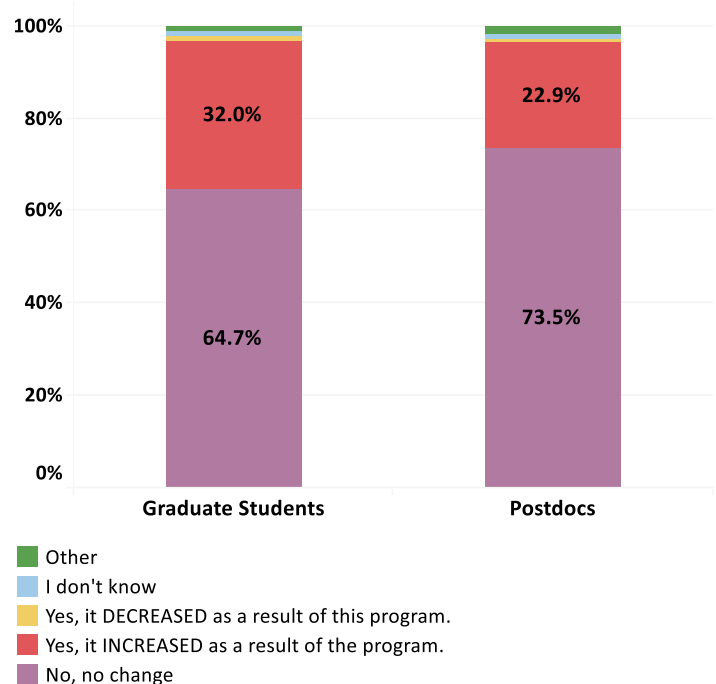
Questions 7 and 8.

Have you modified your Teaching Load/Service Activities while participating in the program? (Participants in 2019-20 OR 2020-21)



Question 9 and 10.

Has the program affected your support of Graduate Students/Postdocs (Participants in 2019-20 OR 2020-21)

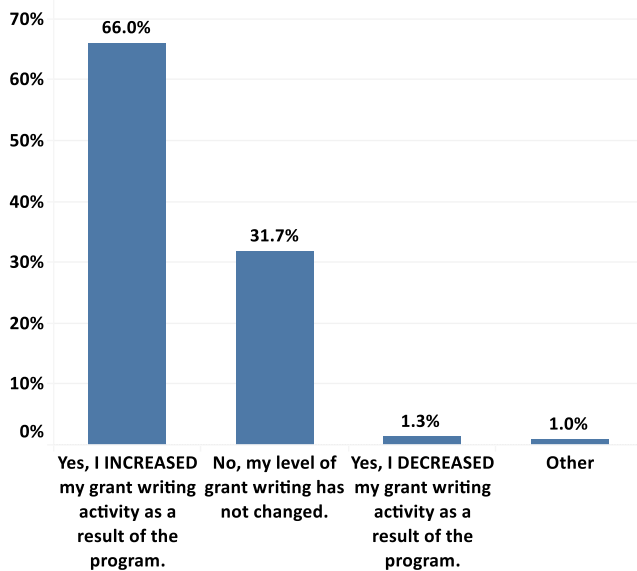


APPENDIX C2 - 2021 NSTP Faculty & Administrator Survey

Question 11.

Has participation in the program affected your grant writing activity?

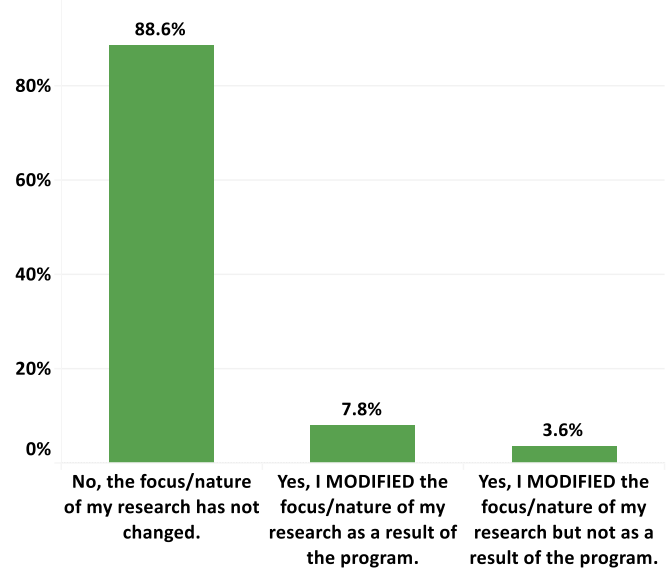
(Participants in 2019-20 OR 2020-21)



Questions 12.

Have you modified the focus or nature of your research during your participation in the program?

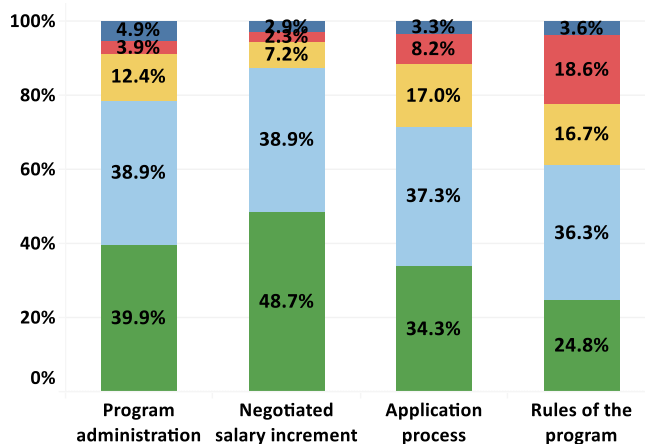
(Participants in 2019-20 OR 2020-21)



Questions 13.

Based on your experience, please rate your level of satisfaction with the following aspects of the program.

(Participants in 2019-20 OR 2020-21)

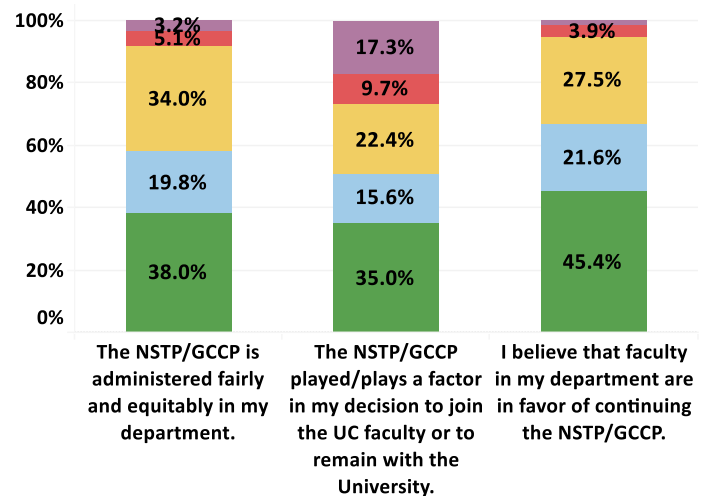


Don't know enough about this aspect of the program to comment
 Unsatisfied
 Neutral
 Satisfied
 Highly satisfied

Question 14.

Please indicate your level of agreement with the following statements.

(All Respondents)



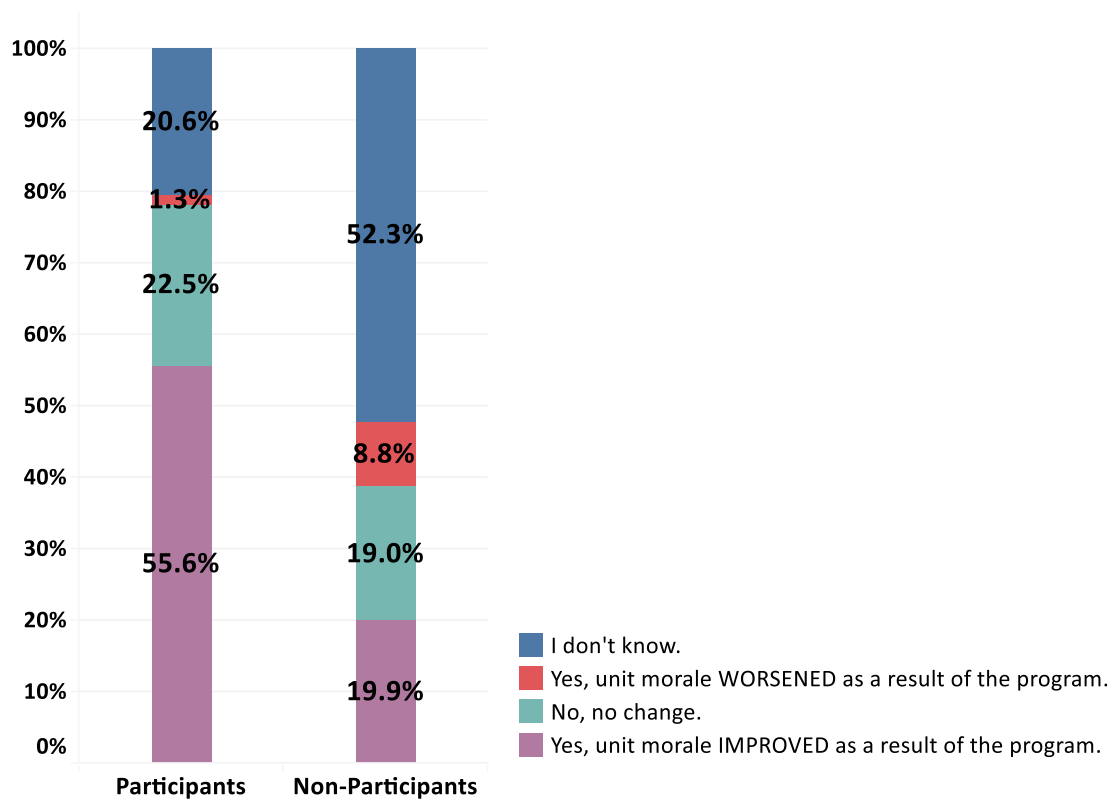
Strongly Disagree
 Disagree
 Neutral
 Agree
 Strongly Agree

APPENDIX C2 - 2021 NSTP Faculty & Administrator Survey

Question 15.

In your opinion, has the program affected the morale of faculty in your department?

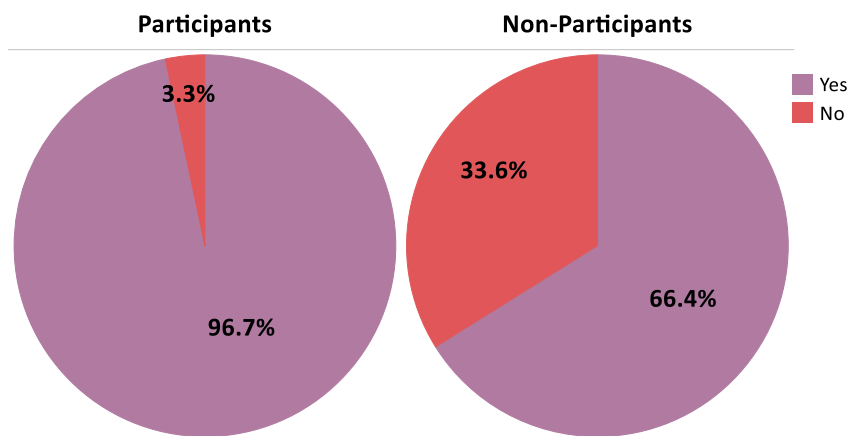
(All Respondents)



Question 16.

In your opinion, is the program a positive asset for the University?

(All Respondents)



APPENDIX C2 - 2021 NSTP Faculty & Administrator Survey

Questions 17-21. For statistical purposes only, please provide us with the following information. Reporting data will be aggregated to protect the identity of individual respondents.

Questions 17-21 requested identifying information (campus, school/division/college, faculty rank, race/ethnicity and gender identity). Overall, 97% of survey respondents provided information regarding their demographic characteristics.

Many of the responses were examined by gender and race/ethnicity. In general, there were not many statistically significant differences in responses by gender.

Due to the fact that only 20 URM participants and 20 URM non-participants responded to the survey, detecting a statistically significant difference between URM and the other ethnicity categories would require a large margin of error for many questions. Additionally, 17% of total survey respondents (NSTP participants and non-participants) chose "Prefer not to answer" in response to the race/ethnicity question and approximately 9% chose "Prefer not to answer" in response to the gender question. For other analyses of interest, the sample size is too small to draw meaningful conclusions. The summary responses are below.

APPENDIX C2 - 2021 NSTP Faculty & Administrator Survey

Faculty Survey Demographic Questions: Summary of Responses and Response Rate

	Entire Faculty Survey			Demographic Questions			
Group	Total Survey Respondents	Total Faculty Surveyed	Overall Response Rate	Minimum number of responses	Minimum Response Rate	Maximum number of responses	Maximum Response Rate
NSTP-Participants	306	429	71%	299	70%	302	70%
Non-Participants	342	2,991	11%	329	11%	334	11%

	Campus								
Group	UCD	UCI	UCLA	UCR	UCSC	UCSD	Response Count	No Answer	Response Rate
NSTP-Participants	4	78	103	19	10	88	302	4	70%
Non-Participants	11	103	91	40	13	76	334	8	11%

	Faculty Rank							
Group	Assistant Professor	Associate Professor	Professor	In Residence	LSOE Series	Response Count	No Answer	Response Rate
NSTP-Participants	43	64	189	1	2	299	7	70%
Non-Participants	79	49	189	0	12	329	13	11%

	Race/Ethnicity								
Group	African/ African-American	Asian/ Asian-American	Chicano(a) /Latino(a) /Hispanic	Native American/ American Indian	White	Prefer not to answer	Response Count	No Answer	Response Rate
NSTP-Participants	3	80	17	0	145	57	302	4	70%
Non-Participants	6	40	13	1	222	49	331	11	11%

	Gender Identity							
Group	Woman	Man	Non-binary	Different identity/not listed above	Prefer not to answer	Response Count	No Answer	Response Rate
NSTP-Participants	81	193	0	1	27	302	4	70%
Non-Participants	104	197	2	1	29	333	9	11%

APPENDIX C2 - 2021 NSTP Faculty & Administrator Survey

NSTP Phase Two Administrator Survey administration

On April 21, 2021, the NSTP web-based administrator survey was sent to 346 administrators and administrative staff in the participating units at the Davis, Irvine, Los Angeles, Riverside, San Diego, and Santa Cruz campuses. The survey was sent to college provosts and deans, associate vice chancellors, executive vice chancellors/provosts (EVC/Ps), and other administrators involved in program implementation or in faculty recruitment, retention, or review. One hundred sixty-two of these individuals responded to the survey, yielding a response rate of approximately 47%. The survey questions are shown below. Comments were solicited for many of these questions.

NSTP Administrator Survey Instrument

Survey Question	Response Group
1. What is your title?	Administrators
2. How familiar are you with the Negotiated Salary Trial Program (aka General Campus Compensation Plan at UC San Diego)?*	Administrators
3. Are or were you also a program participant (as a faculty member) in the 2019-20 or 2020-21 academic year?	Administrators
4. How would you characterize your knowledge of the different types of funds that can be used in the program (e.g. grants, contracts, Chair income, etc.)?	Administrators
5. Check the response that best describes your opinion concerning the program's benefit to the faculty vs. any additional administrative burden incurred due to the unit's participating in the program.	Administrators
6. What is/are the biggest challenge(s) you have faced while administering the program? (please select all that apply)	Administrators
7. Please indicate your level of agreement with the following statements.	Administrators
8. Based on your experiences as an administrator or staff member involved in the administration of the 2019-20 or 2020-21 program, please rate your level of satisfaction with the following aspects of the program.	Administrators
9. In your opinion, is the program a positive asset for the University?*	Administrators
10. Any additional comments about the program?	Administrators

* Questions #2 and #9 are similar to those asked in the Faculty Survey; #4 for the faculty is the same as #2 for the administrators and #16 for the faculty is the same as #9 for the administrators.

APPENDIX C2 - 2021 NSTP Faculty & Administrator Survey

NSTP Phase Two Administrator Survey Response Summary

Administrators expressed general satisfaction with program. Seventy percent of all respondents believed it to be a positive asset to the University (see Table 1). These views were held most strongly by deans and college provosts (86%), academic personnel directors (86%), and the EVC/Ps (80%). However, only 64% of Other staff consider the program a positive asset.

Table 1. Is the program a positive asset for the University?

Response	EVC/ Provost/ Campus Provost/ Vice Provost/ Assoc. Vice Provost	College Provost/ Dean/ Assoc. or Asst. Dean	Asst Vice Chancellor/ Asst Vice Provost/ Academic Personnel Director	Department CAO or MSO	Other	Overall
Yes	80%	86%	86%	71%	64%	70%
No	20%	14%	14%	29%	36%	30%

Overall, 43% of the surveyed group agreed or strongly agreed that the program helped faculty recruitment and 47% agreed or strongly agreed that the program helped faculty retention (see Tables 2a and 2b).

Deans and college provosts were the most positive in the role of the program in recruitment (68% agreed or strongly agreed), while EVC/Ps were the most positive in the role of the program in retention (80% agreed or strongly agreed). 58% of academic personnel directors agreed or strongly agreed that the program helped both recruitment and retention. Other staff expressed less confidence in the effectiveness of the NSTP in these areas: only 39% of department CAO/MSO agreed or strongly agreed that the program helped with recruitment, while 47% of these respondents agreed or strongly agreed that the program helped with retention.

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Table 2a. The program helps faculty recruitment

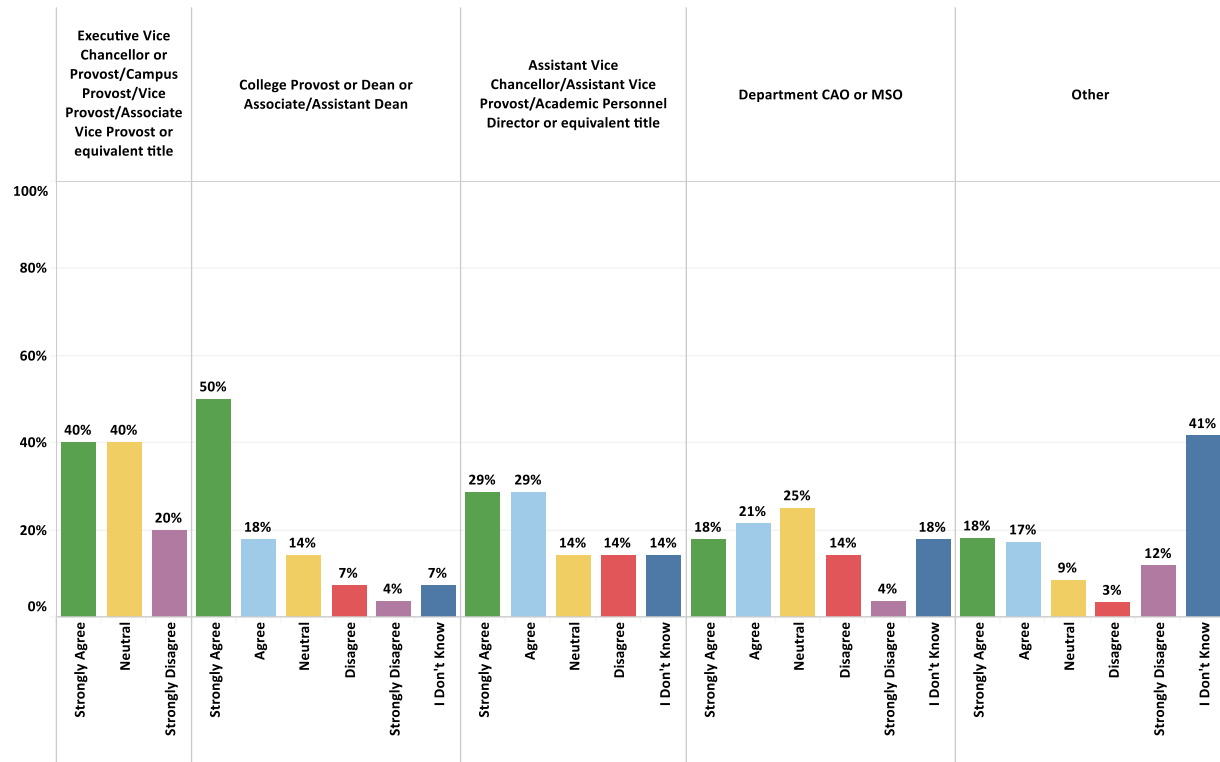
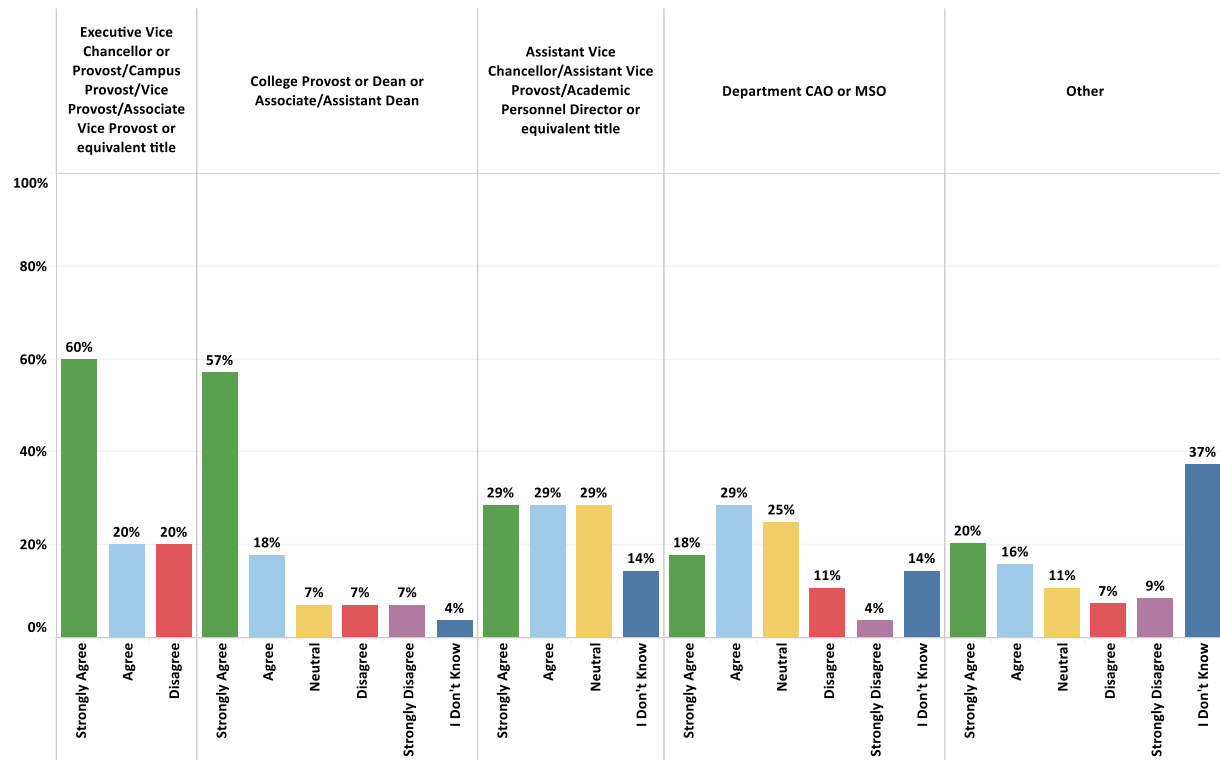


Table 2b. The program helps faculty retention



APPENDIX C2 - 2021 NSTP Faculty & Administrator Survey

Satisfaction with the program's administrative burden varied by group. Sixty-five percent of administrators believed the program's benefit to faculty clearly or somewhat outweighed its administrative costs (see Table 3). While those at higher levels of administration rated the benefits highly, 25% of department CAO/MSO and 32% of other staff indicated that the benefits do not outweigh the burdens.

Table 3. Benefits outweigh administrative costs

Response	EVC/ Provost/ Campus Provost/ Vice Provost/ Asst. Vice Provost	College Provost/ Dean/ Assoc. or Asst. Dean	Asst Vice Chancellor/ Asst Vice Provost/ Academic Personnel Director	Department CAO or MSO	Other	Overall
Benefit to faculty clearly outweighs admin. costs	40%	68%	29%	25%	30%	36%
Benefit to faculty somewhat outweighs admin. costs	40%	14%	57%	43%	27%	29%
Benefit to faculty does not outweigh admin. costs	20%	14%	14%	25%	32%	27%
Don't know enough to comment	0%	4%	0%	7%	12%	9%

Eighty-eight of the 162 respondents (54%) provided comments on whether the program is an asset to the University. These comments primarily reflect the program's value in recruiting and retaining faculty, while also mentioning the increasing equity concerns between faculty with and without access to proper funding and also between disciplines, and its subsequent impacts on faculty climate and morale. The remainder of the comments focused on the program's administrative burden, including the large staff workload to administer the program for a small number of faculty and the lack of support for staff in terms of financial support and training to understand the various rules and restrictions of the program.

Forty-one percent of respondents made comments regarding the administrative burden of the program and how it could be mitigated. The most common suggestions were automating and centralizing processes (for example, with online forms) and changing the timing of the program so that calculations and approvals coordinate more seamlessly with merit, promotions, and the annual salary program. Additionally, respondents also suggested reducing the program's reporting requirements and creating more robust and regular training for program administrators.

Respondents were also asked for "Any additional comments about the program?" Sixty-five respondents (40%) provided comments. Nearly a third of the comments addressed the complicated rules surrounding the eligibility of funds for the program as well as the potential misuse of research funds. Eighteen percent mentioned the burden on staff who administer the program; these concerns also called out the inconsistency in the application of the program rules from year to year as well as the additional difficulty of payroll processing caused by the transition to UCPath. Fourteen percent reiterated the positive impact of the program on recruitment and retention. Additionally, respondents suggested relaxing the rules and restrictions on the types of funds that are eligible and simplifying the application process and the administrative process.

APPENDIX C2 - 2021 NSTP Faculty & Administrator Survey

NSTP Phase Two Administrator survey relative to prior years

Ninety-two percent of respondents indicated that they were familiar or very familiar with the NSTP program. This is a decrease of 3% percent from 2017-18, when the survey was last conducted. Compared to 2017-18, administrative support for the program has fallen. Seventy percent of respondents believe the program is asset for the University, compared to 80% in 2017-18.

Compared to prior years, administrators' support for the program with respect to its administrative burden is at an all-time low of 65%. For 2017-18, 83% of all respondents believed the benefits of the program outweighed its administrative burden compared to 87% in the fourth year, 73% in the third year, 78% in the second year, and 71% in the first year. 100% of EVC/Ps felt this way in 2017-18, 2016-17, 2015-16, and 2014-15, compared to 80% for Phase Two. Deans and college provosts also felt quite positive about the benefits of the NSTP outweighing the administrative burden: 100% felt this way in 2017-18 and 2016-17, compared to 82% for Phase Two.

With respect to faculty recruitment, favorability ratings decreased. Fifty-five percent of respondents cited that NSTP helped in recruitment in 2017-18, which is 12% more than in Phase Two.

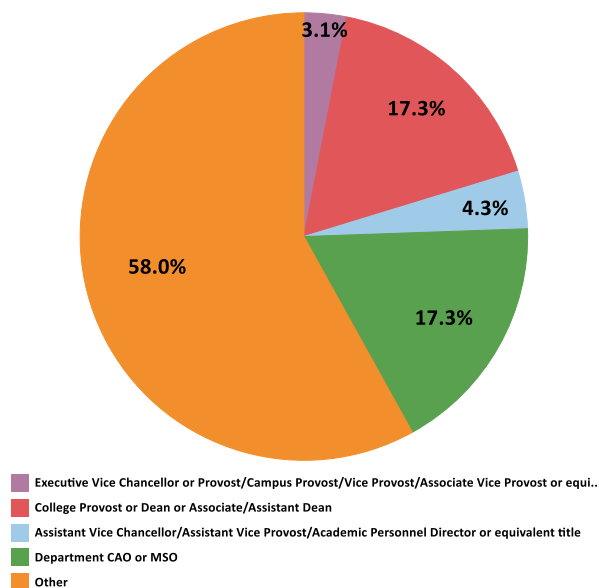
With respect to retention, the favorable rating also decreased. Fifty-five percent indicated that NSTP was helpful in retention in 2017-18, which is 8% more than in Phase Two.

Levels of dissatisfaction with various aspects of the program increased from prior years. The percent that were unsatisfied or highly unsatisfied with the rules of the program rose from 19% in 2017-18 to 32% in Phase Two. More administrators were unsatisfied with the application process (21% in 2017-18 vs. 30% in Phase Two). Dissatisfaction with program administration increased (17% in 2017-18 vs. 25% in Phase Two), as did dissatisfaction with the negotiated salary increment (4% in 2017-18 vs. 11% in Phase Two).

APPENDIX C2 - 2021 NSTP Faculty & Administrator Survey

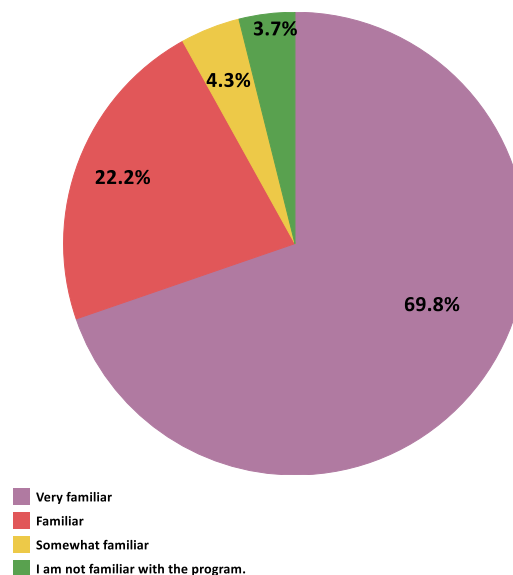
Question 1.

What is your title?



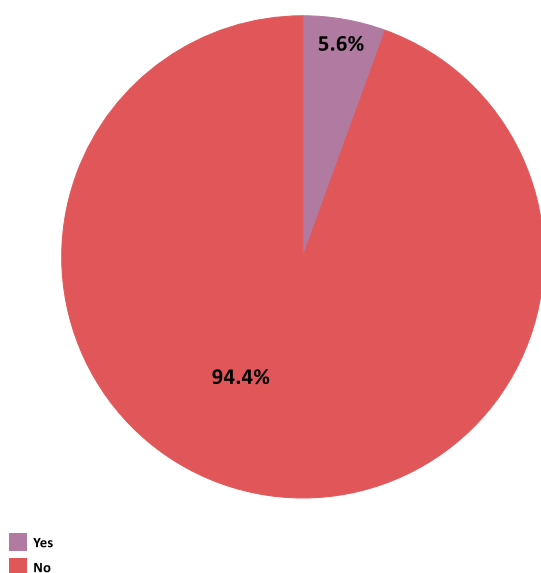
Question 2.

How familiar are you with the NSTP?



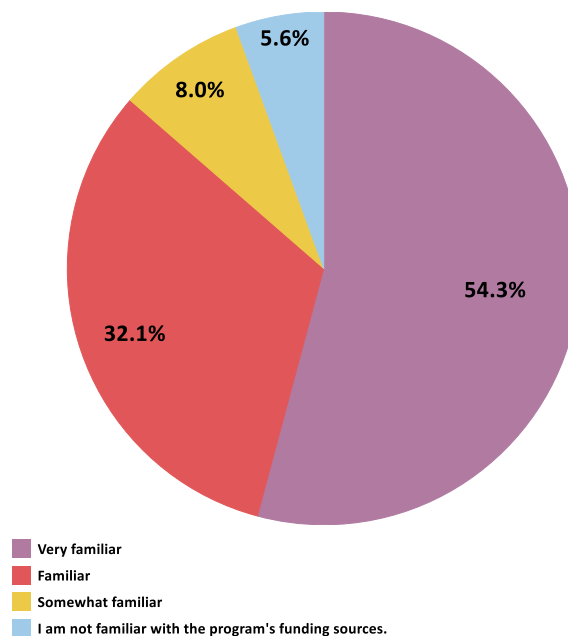
Question 3.

Are or were you also a program participant (as a faculty member) in 2019-20 or 2020-21?



Question 4.

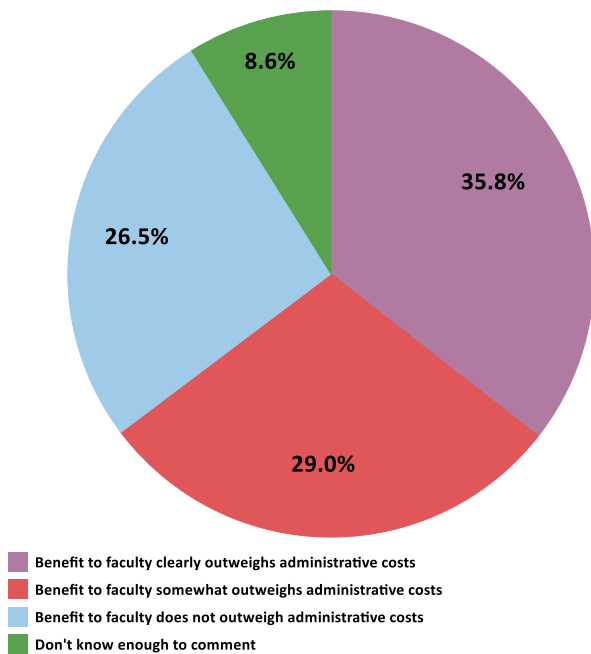
How would you characterize your knowledge of the different types of funds that can be used in the program (e.g., grants, contracts, Chair income, etc.)?



APPENDIX C2 - 2021 NSTP Faculty & Administrator Survey

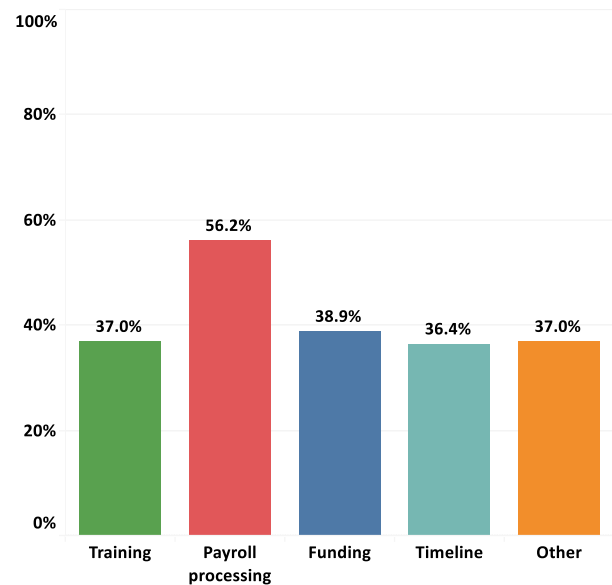
Question 5.

Check the response that best describes your opinion regarding the program's benefit to the faculty vs. any additional administrative burden incurred due to the unit's participating in the program.



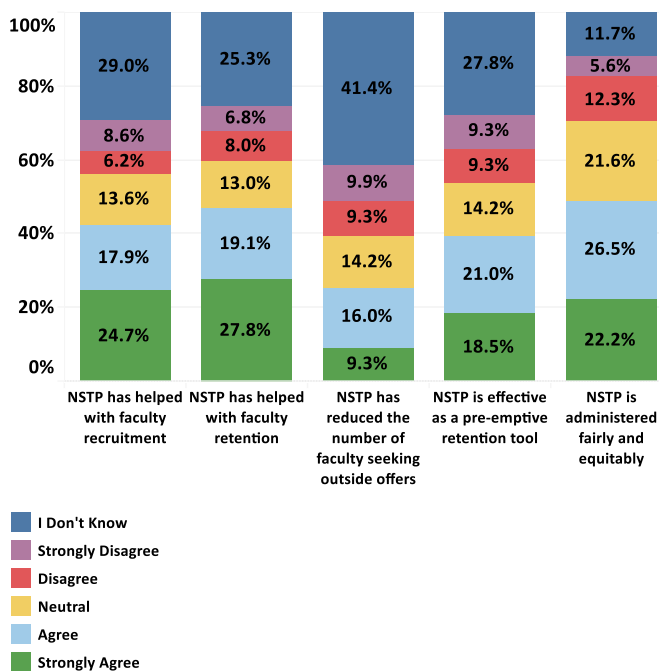
Question 6.

What is/are the biggest challenge(s) you have faced while administering the program? (please select all that apply)



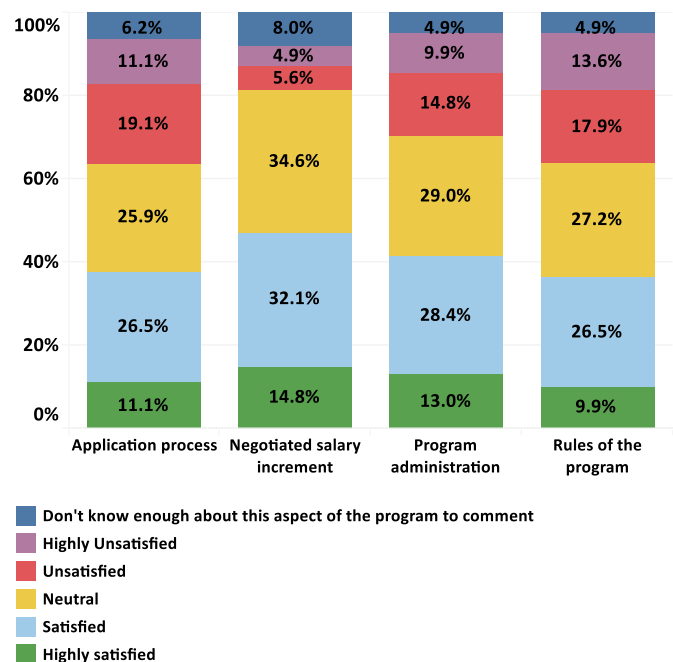
Question 7.

Please indicate your level of agreement with the following statements.



Question 8.

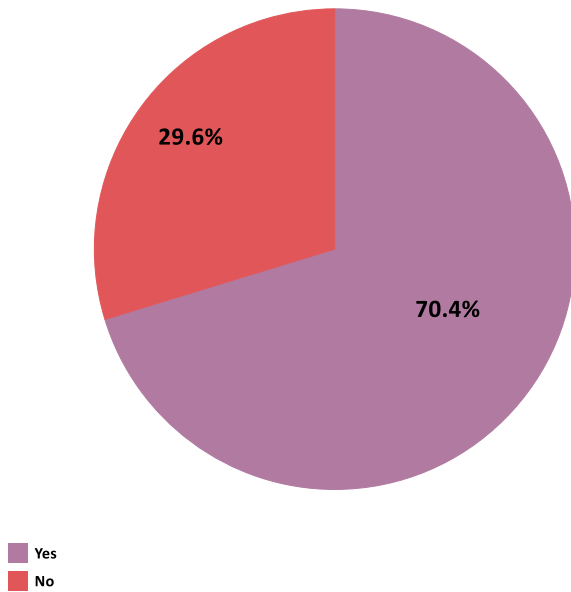
Based on your experience as an administrator or staff member involved in the administration of the 2019-20 or 2020-21 program, please rate your level of satisfaction with the following aspects of the program.



APPENDIX C2 - 2021 NSTP Faculty & Administrator Survey

Question 9.

In your opinion, is the program a positive asset for the University?



Negotiated Salary Trial Program Phase Two Annual Report for Year Three (July 2020 - June 2021)

Executive Summary

In January 2018, UC Provost and Executive Vice President Michael Brown approved a four-year extension and expansion (“Phase Two”) of the general campus Negotiated Salary Trial Program (NSTP). Four campuses participated in year one of Phase Two: UC Irvine, UCLA, UC Riverside, and UC San Diego. Two additional campuses joined the program in year two of Phase Two: UC Davis and UC Santa Cruz. This report on year three of Phase Two of the program presents data on faculty participation from each campus as well as data on use and effectiveness of the program. Data presented in the annual reports for each year of Phase Two of the program, as well as the comprehensive review after year three, will be used to determine whether to institutionalize the program in policy or to end it at the conclusion of Phase Two.

In the third year of phase two, 399 faculty enrolled in NSTP. The negotiated salary component for these 399 faculty members was \$16.5M. The program was most heavily used by faculty in engineering (177), biological sciences (72), physical sciences (45), and public health (32). Fully 52% of total enrolled faculty negotiated the maximum increment (30% of base salary).

Department chairs/leaders were surveyed to obtain data on their departments’ experience with the program. The department chairs/leaders surveyed indicated that NSTP played a very important role in the success of recruitments and retentions in their departments, and is an essential tool in keeping UC competitive.

I. Background

In February 2013, following consultation with the Academic Senate and the Council of Vice Chancellors (COVC), then UC Provost and Executive Vice President Aimée Dorr approved a five-year general campus NSTP on three campuses (UC Irvine, UCLA, and UC San Diego¹). In addition, she created a joint Senate-Administration Taskforce, charged with designing metrics for evaluating the program’s effectiveness.

In June 2013, the provost approved the Taskforce recommendations and the NSTP became operational on July 1, 2013. During the fall of 2016, Vice Provost Susan Carlson convened a task force, chaired by Professor Mary Gauvain of UC Riverside, to plan for the comprehensive review during year four of the program (2016-17). This task force presented a report to then Provost and Executive Vice President Dorr in June 2017, which recommended continuing the program and allowing other campuses to participate if desired, to allow for more data collection to make a more comprehensive assessment during a second phase of the program.

After systemwide review, in January 2018, Provost and Executive Vice President Michael Brown approved a four-year extension and expansion (“Phase Two”) of the program, with a review after the

¹ UC San Diego calls its campus program the General Campus Compensation Program, GCCP. This document will refer to all six campus programs as “NSTP.”

third year and a possible fifth year, if needed, to wind down the program if the review determined that the program should not continue. The three pilot campuses opted to continue their participation in the NSTP during Phase Two, and they were joined (in year 1) by UC Riverside on July 1, 2018. UC Provost and Executive Vice President Brown's approval letter allowed campuses the option of joining during Year Two (2019-20) of Phase Two as well, and both UC Davis and UC Santa Cruz decided to join NSTP during year two. A joint faculty/administrative workgroup met during the summer of 2018 to develop a revised set of metrics by which to assess Phase Two of the NSTP. These metrics have been endorsed by Provost and Executive Vice President Brown and will be incorporated into both the annual reports and the year four full review of the program.

The basic documents for Phase Two of the systemwide program are appended; in addition, each campus has its own implementation document based closely on the systemwide template (see appendices for the basic program document [[Appendix A](#)] and the revised metrics developed by the Phase Two Metrics Working Group [[Appendix B](#)]).

NSTP Goals. Three goals outlined by the 2013 joint Senate-Administration Taskforce guided the compilation of this report:

- Meet immediate recruitment and retention needs on participating campuses, including more competitive salaries for participating faculty.
- Collect information on the use and effectiveness of the program.
- Position University faculty leaders and academic administrators to make a decision about continuing the program after the year four review.

Metrics and required reporting. As outlined by the Phase Two Working Group, three types of data are collected for each annual report to allow adequate review of the program: 1) Basic Data (people, demographics [gender and race/ethnicity], discipline, salary components, funding, faculty responsibilities); 2) Data on recruitment and retention; and 3) Survey data, involving queries to faculty, department chairs, and program administrators. Some of this information will be collected at the campus level from the application forms and the rest will be collected either annually (chair and leader survey) or once during phase two (faculty and administrator survey) by the Office of the President, in coordination with the participating campuses.

II. Faculty Participation and Demographics, 2020-21

This "Faculty Participation and Demographics" section of the report provides the following data as outlined by the Taskforce in October 2018 ([Appendix B](#)):

- 1.1.1. Those who participated and who did not. Divisions/schools/colleges participating: number and percentage of total campus.
- 1.1.2. Those who participated and who did not. Departments participating: number and percentages of total campus.
- 1.1.3. Those who participated and who did not. Faculty in participating departments, including both those who did and did not participate: number and percentage of total campus.

- 1.1.4. Gender and race/ethnicity of faculty in participating units.
- 1.1.5. Rank and step of faculty in participating units.
- 1.1.6. Salary, including base, off-scale, summer ninths, negotiated amount, stipends, other by gender and race/ethnicity (note that summer-ninths and stipends are addressed in section V).
- 1.1.7. Average salaries (including negotiated amount) of participating and non-participating faculty, analyzed by gender and race/ethnicity.

Each campus continues to participate according to its individual implementation guidelines, approved by the UC Provost.

Figure 1 provides detail on the division/school/college NSTP participation. For year three, overall faculty participation increased by twenty; from 379 in 2019-20 to 399 in 2020-21. Of the 399, 76 were new to the program. Seventy-six percent of faculty participants from 2019-20 (305 of 399) continued in 2020-21. (Eighteen other faculty members, who participated in the program prior to 2019-20, rejoined the program in 2020-21.)

Faculty in schools where the Health Sciences Compensation Plan (HSCP) is used are not eligible to participate in the NSTP. Schools excluded from Phase Two of the program include Medicine and Nursing at UC Davis; Medicine at UC Irvine; Medicine and Dentistry at UCLA; Medicine at UC Riverside; and Medicine and Pharmacy at UC San Diego. Faculty in Public Health at UC Irvine and UCLA and Nursing and Pharmaceutical Sciences at UC Irvine were eligible to participate in the NSTP because these units do not participate in the HSCP.

Figure 1
Campus Participation in NSTP by Divisions/Schools/Colleges and Department 2020-21

Category	2020-21					
	Davis	Irvine	Los Angeles	Riverside	San Diego	Santa Cruz
Divisions/Schools/Colleges Participating	3	10	8	3	8	2
Total Campus Divisions/Schools/Colleges	7	15	14	6	8	5
Participating Divisions/Schools/Colleges as a Percentage of Total Campus	43%	67%	57%	50%	100%	40%
Departments Participating	7	22	28	7	19	6
Total Campus Departments	65	53	64	42	34	37
Participating Departments as a Percentage of Total Campus	11%	42%	44%	17%	56%	16%
Faculty Participating	12	93	133	19	130	12
Total Eligible Campus Faculty*	1,220	1,096	1,474	794	1,058	555
Participating Faculty as a Percentage of Total Eligible Campus Faculty	1%	9%	9%	2%	12%	2%

* Total Eligible Campus Faculty is defined as ladder-rank and in-residence faculty in non-HSCP schools. (Count is as of CPS October 2020 Snapshot. Totals exclude Health Sciences Compensation Plan schools.)

Note: Participating campus Divisions/Schools/Colleges include the following:

UC Davis: Agricultural and Environmental Sciences, Biological Sciences, Engineering.

UC Irvine: Biological Sciences, Education, Engineering, Information and Computer Sciences, Physical Sciences, Public Health, Social Ecology, Social Sciences, Health Sciences (Nursing and Pharmaceutical Sciences).

UCLA: Education & Information Studies, Engineering & Applied Sciences, Life Sciences, Anderson School of Management, Physical Sciences, Public Health, Social Sciences, School of Public Affairs.

UC Riverside: Engineering, Life Sciences, Physical Sciences.

UC San Diego: Arts and Humanities, Biological Sciences, Engineering, Global Policy and Strategy, Rady School of Management, Marine Sciences, Physical Sciences, Social Sciences.

UC Santa Cruz: Engineering, Physical & Biological Sciences.

APPENDIX C3: NSTP P2Y3 Report

Annual Report for Phase Two Year Three (July 2020 – June 2021) NSTP

Campus participation profiles (**Figure 2a** [UC Davis], **2b** [UC Irvine], **2c** [UCLA], **2d** [UC Riverside], **2e** [UC San Diego], and **2f** [UC Santa Cruz]) provide headcounts of the faculty who were enrolled in 2020-21. Those schools/divisions/colleges that have faculty in the program are termed “participating” units; those individual faculty who are receiving negotiated salaries are termed “enrolled” faculty. Of those 399 faculty enrolled, 130 (33%) are at UC San Diego and 133 (33%) are at UCLA. All but four enrolled faculty members hold academic year (9-month) appointments.

Figure 2a
Headcount of Enrolled Faculty by Divisions/Schools/Colleges and Department
UC Davis
2020-21

			Headcount of Enrolled Faculty	% of Total	Total Departmental Faculty	Enrolled Faculty/Total Departmental Faculty	Enrolled Headcount Difference from 2019-20
Campus	School/Division/College	Department Name					
Davis	AGRICULTURE & ENVIRONMENTAL SCIENCES	ANIMAL SCIENCE	1	8.3%	27	3.7%	
		BIOLOGICAL & AGRIC ENGR	1	8.3%	10	10.0%	
		HUMAN ECOLOGY	1	8.3%	32	3.1%	
		NUTRITION	1	8.3%	13	7.7%	
	BIOLOGICAL SCIENCES	NEUROBIOLOGY, PHYSIOLOGY & BEHAVIOR	2	16.7%	17	11.8%	
	ENGINEERING	CIVIL AND ENVIRONMENTAL ENGINEERING	2	16.7%	38	5.3%	
		ELECTRICAL AND COMPUTER ENGINEERING	4	33.3%	32	12.5%	
Davis Total			12	100.0%	169	7.1%	

Figure 2b
Headcount of Enrolled Faculty by Divisions/Schools/Colleges and Department
UC Irvine
2020-21

			Headcount of Enrolled Faculty	% of Total	Total Departmental Faculty	Enrolled Faculty/Total Departmental Faculty	Enrolled Headcount Difference from 2019-20	
Campus	School/Division/College	Department Name						
Irvine	BIOLOGICAL SCIENCES	DEVELOPMENTAL & CELL BIOLOGY	12	12.9%	23	52.2%		
		ECOLOGY AND EVOLUTIONARY BIOLOGY	1	1.1%	33	3.0%		
		MOLECULAR BIOLOGY AND BIOCHEMISTRY	4	4.3%	26	15.4%		
		NEUROBIOLOGY & BEHAVIOR	10	10.8%	25	40.0%		
	EDUCATION	EDUCATION	4	4.3%	31	12.9%		
	ENGINEERING	BIOMEDICAL ENGINEERING	4	4.3%	22	18.2%		
		CHEMICAL ENGR & MATRL SCIENCE	1	1.1%	16	6.3%		
		CIVIL & ENVIRONMENTAL ENGR	2	2.2%	25	8.0%		
		ELECTRICAL ENGR & COMPUTER SCI	4	4.3%	33	12.1%		
		MATERIAL SCIENCE AND ENGINEERING	3	3.2%	14	21.4%	-	
		MECHANICAL & AEROSPACE ENGR	5	5.4%	27	18.5%		
		INFORMATION AND COMPUTER SCIENCE	COMPUTER SCIENCE	9	9.7%	51	17.6%	
			INFORMATICS	3	3.2%	27	11.1%	-
	STATISTICS		3	3.2%	11	27.3%		
	PHYSICAL SCIENCES	EARTH SYSTEM SCIENCE	3	3.2%	23	13.0%	-	
		MATHEMATICS	2	2.2%	35	5.7%		
		PHYSICS AND ASTRONOMY	3	3.2%	48	6.3%		
	PUBLIC HEALTH	PUBLIC HEALTH	7	7.5%	19	36.8%		
	SOCIAL ECOLOGY	PSYCHOLOGICAL SCIENCE	4	4.3%	30	13.3%		
	SOCIAL SCIENCES	COGNITIVE SCIENCES	3	3.2%	24	12.5%		
	HEALTH SCIENCES	NURSING	4	4.3%	12	33.3%		
		PHARMACEUTICAL SCIENCES	2	2.2%	14	14.3%		
Irvine Total			93	100.0%	569	16.3%		

Figure 2c
Headcount of Enrolled Faculty by Divisions/Schools/Colleges and Department
UCLA
2020-21

Campus	School/Division/College	Department Name	Headcount of Enrolled Faculty	% of Total	Total Departmental Faculty	Enrolled Faculty/Total Departmental Faculty	Enrolled Headcount Difference from 2019-20
Los Angeles	EDUCATION & INFO STUDIES	EDUCATION	2	1.5%	44	4.5%	1
		INFORMATION STUDIES	2	1.5%	14	14.3%	2
	ENGINEERING & APPLIED SCIENCES	BIOENGINEERING DEPARTMENT	2	1.5%	12	16.7%	0
		CHEMICAL AND BIOMOLECULAR ENGINEERING	4	3.0%	16	25.0%	0
		CIVIL AND ENVIRONMENTAL ENGINEERING	8	6.0%	22	36.4%	3
		COMPUTER SCIENCE	20	15.0%	35	57.1%	-2
		ELECTRICAL AND COMPUTER ENGINEERING	20	15.0%	43	46.5%	4
		MATERIALS SCIENCE AND ENGINEERING	3	2.3%	14	21.4%	1
		MECHANICAL AND AEROSPACE ENGINEERING	6	4.5%	36	16.7%	-5
	LIFE SCIENCES	ECOLOGY AND EVOLUTIONARY BIOLOGY	1	0.8%	26	3.8%	0
		INTEGRATIVE BIOLOGY & PHYSIOLOGY	5	3.8%	19	26.3%	0
		MOLECULAR, CELL & DEVELOPMENTAL BIOLOGY	3	2.3%	20	15.0%	-2
		PSYCHOLOGY	8	6.0%	60	13.3%	-2
	ANDERSON SCHOOL OF MANAGEMENT	MANAGEMENT SCHOOL	1	0.8%	80	1.3%	1
	PHYSICAL SCIENCES	ATMOSPHERIC AND OCEANIC SCIENCES	2	1.5%	18	11.1%	0
		CHEMISTRY AND BIOCHEMISTRY	8	6.0%	43	18.6%	3
		EARTH, PLANETARY, AND SPACE SCIENCES	3	2.3%	25	12.0%	-1
		MATHEMATICS	2	1.5%	45	4.4%	0
		PHYSICS AND ASTRONOMY	2	1.5%	54	3.7%	0
		STATISTICS	1	0.8%	13	7.7%	-1
	PUBLIC HEALTH	BIOSTATISTICS	5	3.8%	15	33.3%	1
		COMMUNITY HEALTH SCIENCES	4	3.0%	15	26.7%	1
		ENVIRONMENTAL HEALTH SCIENCES	4	3.0%	7	57.1%	0
		EPIDEMIOLOGY	6	4.5%	13	46.2%	2
		HEALTH POLICY AND MANAGEMENT	6	4.5%	15	40.0%	1
	SOCIAL SCIENCES	COMMUNICATION	2	1.5%	10	20.0%	2
		HISTORY	1	0.8%	47	2.1%	1
	SCHOOL OF PUBLIC AFFAIRS	SOCIAL WELFARE	2	1.5%	18	11.1%	0
Los Angeles Total			133	100.0%	779	17.1%	

Figure 2d
Headcount of Enrolled Faculty by Divisions/Schools/Colleges and Department
UC Riverside
2020-21

			Headcount of Enrolled Faculty	% of Total	Total Departmental Faculty	Enrolled Faculty/Total Departmental Faculty	Enrolled Headcount Difference from 2019-20
Campus	School/Division/College	Department Name					
Riverside	ENGINEERING	CHEMICAL AND ENVIRONMENTAL ENGINEERING	4	21.1%	21	19.0%	-4
		COMPUTER SCIENCE AND ENGINEERING	3	15.8%	35	8.6%	-1
		ELECTRICAL & COMPUTER ENGINEERING	5	26.3%	26	19.2%	1
		MECHANICAL ENGINEERING	3	15.8%	23	13.0%	0
	LIFE SCIENCES	MOLECULAR, CELL AND SYSTEMS BIOLOGY	2	10.5%	22	9.1%	-2
	PHYSICAL SCIENCES	CHEMISTRY	1	5.3%	32	3.1%	-2
		PHYSICS AND ASTRONOMY	1	5.3%	42	2.4%	1
Riverside Total			19	100.0%	201	9.5%	

Figure 2e
Headcount of Enrolled Faculty by Divisions/Schools/Colleges and Department
UC San Diego
2020-21

			Headcount of Enrolled Faculty	% of Total	Total Departmental Faculty	Enrolled Faculty/Total Departmental Faculty	Enrolled Headcount Difference from 2019-20	
Campus	School/Division/College	Department Name						
San Diego	ARTS AND HUMANITIES	MUSIC	1	0.8%	24	4.2%	0	
		BIOLOGICAL SCIENCES	CELL & DEVELOPMENTAL BIOLOGY	4	3.1%	26	15.4%	-1
		MOLECULAR BIOLOGY	9	6.9%	25	36.0%	0	
		NEUROBIOLOGY	7	5.4%	21	33.3%	-1	
	ENGINEERING	BIOENGINEERING	11	8.5%	24	45.8%	0	
		COMPUTER SCI & ENGNRNG	18	13.8%	56	32.1%	1	
		ELECT & COMPUTER ENG	18	13.8%	48	37.5%	-5	
		MECHANICAL & AEROSPACE ENG	11	8.5%	44	25.0%	2	
		NANOENGINEERING	6	4.6%	25	24.0%	0	
		STRUCTURAL ENGINEERING	3	2.3%	24	12.5%	-1	
		SCHOOL OF GLOBAL POLICY & STRATEGY	GLOBAL POLICY & STRATEGY	2	1.5%	33	6.1%	-1
	RADY SCHOOL OF MANAGEMENT	MANAGEMENT SCHOOL	14	10.8%	35	40.0%	4	
	SCRIPPS INSTITUTION OF OCEANOGRAPHY	SIO DEPARTMENT	8	6.2%	93	8.6%	-3	
		PHYSICAL SCIENCES	CHEMISTRY & BIOCHEMISTRY	5	3.8%	49	10.2%	1
			PHYSICS	7	5.4%	58	12.1%	0
	SOCIAL SCIENCES		COGNITIVE SCIENCE	2	1.5%	28	7.1%	0
			ECONOMICS	1	0.8%	37	2.7%	0
			POLITICAL SCIENCE	1	0.8%	37	2.7%	1
			PSYCHOLOGY	2	1.5%	24	8.3%	0
San Diego Total			130	100.0%	711	18.3%		

Figure 2f
Headcount of Enrolled Faculty by Divisions/Schools/Colleges and Department
UC Santa Cruz
2020-21

Campus	School/Division/College	Department Name	Headcount of Enrolled Faculty	% of Total	Total Departmental Faculty	Enrolled Faculty/Total Departmental Faculty	Enrolled Headcount Difference from 2019-20
Santa Cruz	ENGINEERING	BIOMOLECULAR ENGINEERING	2	16.7%	14	14.3%	1
		COMPUTATIONAL MEDIA	1	8.3%	13	7.7%	1
		COMPUTER SCIENCE AND ENGINEERING	2	16.7%	31	6.5%	0
		ELECTRICAL AND COMPUTER ENGINEERING	2	16.7%	20	10.0%	1
	PHYSICAL & BIOLOGICAL SCIENCES	ASTRONOMY AND ASTROPHYSICS	4	33.3%	16	25.0%	0
		CHEMISTRY AND BIOCHEMISTRY	1	8.3%	22	4.5%	0
Santa Cruz Total			12	100.0%	116	10.3%	

Figure 3 provides information on enrolled faculty and participating departments with a breakdown by gender. The numbers have been aggregated for all six campuses since cell sizes would have been too small to report for most departments.

Figure 3
Gender of Enrolled Faculty
Compared to Participating Departmental Faculty
All Six Campuses
2020-21

Gender	2020-21	
	Enrolled Faculty	Overall Population in Participating Departments*
Women	27.8%	29.1%
Men	72.2%	70.9%
Total	100.0%	100.0%

* Excluding Unknowns.

Figure 4 displays the faculty breakdown by race/ethnicity. Both the headcounts and the percentage of under-represented minority faculty are small among enrollees and the faculty in participating departments.

Figure 4
Race/Ethnicity of Enrolled Faculty
Compared to Participating Departmental Faculty
All Six Campuses
2020-21

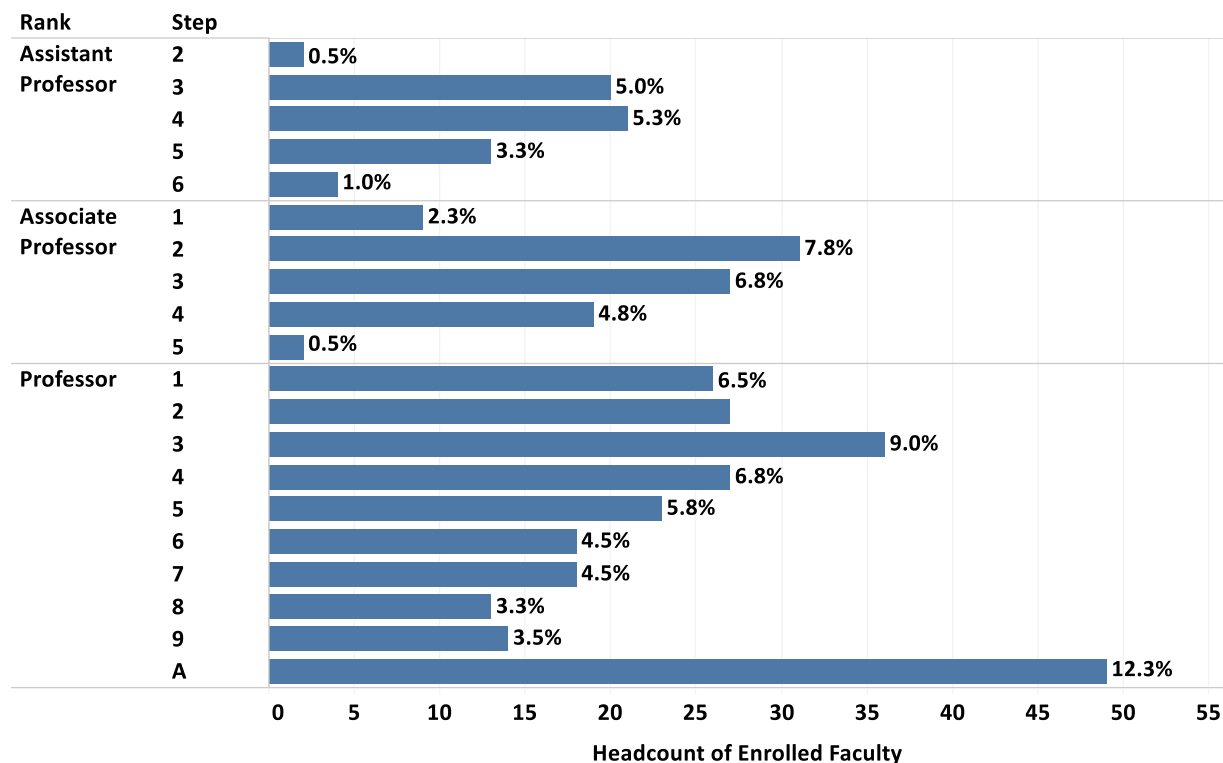
Race/Ethnicity	2020-21	
	Enrolled Faculty	Overall Population in Participating Departments
African/African American	1.3%	2.6%
Asian/Asian American	35.3%	24.1%
Chicano(a)/Latino(a)/Hispanic	6.0%	6.7%
Native American/American Indian	0.3%	0.2%
White/Other	57.1%	66.4%
Total	100.0%	100.0%

Figure 5 profiles enrolled faculty and all eligible faculty by rank in participating units. Approximately 85% of those enrolled are tenured, with 63% of enrolled faculty at the rank of professor. **Figure 6** shows the distribution of enrolled faculty by rank and step. The percentage of above scale enrolled faculty (12.3%) is only slightly less than the total percentage of enrolled faculty at the rank of assistant professor (15.0%).

Figure 5
Headcount of Enrolled and Participating Departmental Faculty by Rank
All Six Campuses
2020-21

Rank	2020-21			
	Enrolled Faculty Headcount	% of Enrolled Faculty	Overall Population in Participating Departments	Difference of Enrolled to Participating
Assistant Professor	60	15.0%	23.0%	-8.0%
Associate Professor	88	22.1%	17.1%	5.0%
Professor	251	62.9%	59.9%	3.0%
Total	399	100.0%	100.0%	

Figure 6
Headcount of Enrolled Faculty by Rank and Step
All Six Campuses
2020-21



III. Salary Information

Figures 7 to 16 provide information about the negotiated increments and salaries by campus, rank, and discipline, as well as by gender and ethnicity. The various breakdowns of salary information below — by campus, rank, discipline, gender, and ethnicity — provide detail on the 2020-21 program. Information on additional compensation such as summer-ninths and stipends appears later in this report. The percentage of the negotiated increment varies by individual, not by school or department; thus, increments as a percentage of eligible salary range from 3% to the maximum of 30%. The NSTP Phase Two basic program parameters stipulate that the negotiated component can be no more than 30% of the base salary (see **Appendix A**, p. 1). Each of the next eight figures includes information on “base salary,” which includes the scale rate (academic or fiscal year) plus off-scale salary, if any, or the above scale salary.

Please note that the information provided in **Figures 13 to 16**, showing breakdown of negotiated increments and salaries by gender and ethnicity, should not be viewed as a salary equity review. The data presented does not control for the myriad of factors (e.g., series, starting rank, time since degree, discipline, years of experience) that would normally be included in any salary equity analysis.

Figures 7 and 8 provide the salary information by campus, with **Figure 7** summarizing the salary distributions (the base salary, the negotiated increment, and the total of the two). **Figure 8** provides additional information on the negotiated increments as a percentage of the base salary.

Figure 7
Sum of Base Salary*, Negotiated Salary Increment and Total Annual Salary
for Enrolled Faculty by Campus
2020-21

2020-21			
Campus	Sum of Base Salary	Sum of Negotiated Salary Amount	Total of Base Salary and Negotiated Salary Increment
Davis	\$1,890,500	\$400,604	\$2,291,104
Irvine	\$14,951,300	\$3,572,590	\$18,523,890
Los Angeles	\$25,361,000	\$5,948,100	\$31,309,100
Riverside	\$2,776,700	\$618,000	\$3,394,700
San Diego	\$24,612,800	\$5,461,100	\$30,073,900
Santa Cruz	\$1,876,000	\$470,200	\$2,346,200
Total	\$71,468,300	\$16,470,594	\$87,938,894

*Base Salary includes scale rate and any off-scale or the above scale rate.

As shown in **Figure 8**, in 2020-21 there were 252 faculty whose increment was between 21% and 30% of their base salary. Two hundred fourteen of these individuals (54% of the total number of enrollees on all campuses) had the maximum negotiated increment (30% of base salary).

Figure 8
Headcount by Percent of Negotiated Salary Increment to Base Salary* by Campus
2020-21

2020-21								
Campus	10% or less		11% to 20%		21% to 30%		Grand Total	
Davis	2	16.7%	4	33.3%	6	50.0%	12	100.0%
Irvine	10	10.8%	24	25.8%	59	63.4%	93	100.0%
Los Angeles	22	16.5%	25	18.8%	86	64.7%	133	100.0%
Riverside	2	10.5%	6	31.6%	11	57.9%	19	100.0%
San Diego	22	16.9%	28	21.5%	80	61.5%	130	100.0%
Santa Cruz	1	8.3%	1	8.3%	10	83.3%	12	100.0%
Total	59	14.8%	88	22.1%	252	63.2%	399	100.0%

*Base Salary includes scale rate and any off-scale or the above scale rate.

Figures 9 and 10 reconfigure the information conveyed in **Figure 8**, with a focus on gender and ethnicity instead of campus.

Figure 9
Headcount by Percent of Negotiated Salary Increment to Base Salary* by Gender
2020-21

Gender	2020-21							
	10% or less		11% to 20%		21% to 30%		Grand Total	
Women	18	16.2%	28	25.2%	65	58.6%	111	100.0%
Men	41	14.2%	60	20.8%	187	64.9%	288	100.0%
Total	59	14.8%	88	22.1%	252	63.2%	399	100.0%

*Base Salary includes scale rate and any off-scale or the above scale rate.

Under-represented minority (URM) faculty combines the categories of African/African American, Chicano(a)/Latino(a)/Hispanic, and Native American/American Indian. As shown in **Figure 10**, in 2020-21, 66.7% of URM faculty had an increment between 21% and 30% which is slightly more than both the percentage of Asian/Asian American faculty (60.3%) and of White faculty (64.5%).

Figure 10
Headcount by Percent of Negotiated Salary Increment to Base Salary* by Ethnicity
2020-21

Ethnicity	2020-21							
	10% or less		11% to 20%		21% to 30%		Grand Total	
URM	1	3.3%	9	30.0%	20	66.7%	30	100.0%
Asian/Asian American	27	19.1%	29	20.6%	85	60.3%	141	100.0%
White/Other	31	13.6%	50	21.9%	147	64.5%	228	100.0%
Total	59	14.8%	88	22.1%	252	63.2%	399	100.0%

*Base Salary includes scale rate and any off-scale or the above scale rate.

Figures 11 and **12** provide additional detail on the enrolled faculty salaries and increments. To allow for analysis of the range of salaries, the first section of **Figures 11** and **12** gives the minimum salary, average salary, and highest (maximum) salary in each category (either by rank in **Figure 11** or by discipline in **Figure 12**). The second section gives similar information about the negotiated salary increment; and the third section offers information for the combined base and negotiated salary, first by rank (**Figure 11**) and then by discipline (**Figure 12**).

Figure 11
Minimum, Average and Maximum of Base Salary*,
Negotiated Salary Increment and Total Annual Salary for Enrolled Faculty by Rank
All Six Campuses
2020-21

Rank	Headcount	Min of Base Salary	Average of Base Salary	Max of Base Salary
Assistant Professor	60	\$91,400	\$121,353	\$199,100
Associate Professor	88	\$105,700	\$140,528	\$231,100
Professor	251	\$109,700	\$206,457	\$397,000
Overall	399	\$91,400	\$179,119	\$397,000

Rank	Headcount	Min of Negotiated Salary Increment	Average of Negotiated Salary Increment	Max of Negotiated Salary Increment
Assistant Professor	60	\$5,400	\$29,140	\$42,400
Associate Professor	88	\$8,800	\$33,237	\$53,400
Professor	251	\$4,900	\$47,002	\$115,500
Overall	399	\$4,900	\$41,280	\$115,500

Rank	Headcount	Min of Total Annual Salary (Base Salary + Negotiated Salary Increment)	Average of Total Annual Salary (Base Salary + Negotiated Salary Increment)	Max of Total Annual Salary (Base Salary + Negotiated Salary Increment)
Assistant Professor	60	\$100,700	\$150,493	\$225,000
Associate Professor	88	\$121,600	\$173,765	\$261,700
Professor	251	\$129,500	\$253,458	\$500,500
Overall	399	\$100,700	\$220,398	\$500,500

* Base Salary includes scale rate and any off-scale or the above scale rate.

Figure 12
Minimum, Average and Maximum of Base Salary*, Negotiated Salary Increment
and Total Annual Salary for Enrolled Faculty by Discipline
All Six Campuses
2020-21

Disciplinary Group	Headcount	Min of Base Salary	Average of Base Salary	Max of Base Salary
Biological Sciences	72	\$92,000	\$156,301	\$314,300
Engineering	177	\$113,400	\$181,669	\$336,900
Information and Computer Science	15	\$130,600	\$190,740	\$278,700
Management	15	\$199,100	\$263,233	\$356,800
Marine Sciences	8	\$95,300	\$186,088	\$335,300
Other	23	\$110,400	\$159,522	\$269,800
Physical Sciences	45	\$105,500	\$195,613	\$397,000
Public Health	32	\$91,400	\$162,469	\$246,100
Social Sciences	12	\$97,000	\$174,192	\$330,500
Overall	399	\$91,400	\$179,119	\$397,000

Disciplinary Group	Headcount	Min of Negotiated Salary Increment	Average of Negotiated Salary Increment	Max of Negotiated Salary Increment
Biological Sciences	72	\$8,800	\$37,555	\$86,400
Engineering	177	\$4,900	\$44,740	\$101,100
Information and Computer Science	15	\$9,400	\$48,623	\$83,600
Management	15	\$6,600	\$33,607	\$93,000
Marine Sciences	8	\$5,400	\$21,075	\$36,300
Other	23	\$11,300	\$41,133	\$61,000
Physical Sciences	45	\$8,400	\$41,324	\$115,500
Public Health	32	\$9,000	\$39,629	\$73,800
Social Sciences	12	\$14,700	\$30,975	\$72,800
Overall	399	\$4,900	\$41,280	\$115,500

Disciplinary Group	Headcount	Min of Total Annual Salary (Base Salary + Negotiated Salary Increment)	Average of Total Annual Salary (Base Salary + Negotiated Salary Increment)	Max of Total Annual Salary (Base Salary + Negotiated Salary Increment)
Biological Sciences	72	\$104,300	\$193,857	\$377,200
Engineering	177	\$139,600	\$226,409	\$438,000
Information and Computer Science	15	\$161,000	\$239,363	\$362,300
Management	15	\$225,000	\$296,840	\$403,000
Marine Sciences	8	\$100,700	\$207,163	\$368,800
Other	23	\$124,800	\$200,655	\$321,100
Physical Sciences	45	\$126,600	\$236,938	\$500,500
Public Health	32	\$112,900	\$202,098	\$319,900
Social Sciences	12	\$119,700	\$205,167	\$356,900
Overall	399	\$100,700	\$220,398	\$500,500

* Base Salary includes scale rate and any off-scale or the above scale rate.

** "Other" includes Education, Global Policy and Strategy, Information Studies, Music, Pharmaceutical Sciences, Nursing, Psychological Science, and Social Welfare.

Figures 13 and 14 display the same information as Figures 11 and 12 by gender and ethnicity.

Figure 13
Minimum, Average and Maximum of Base Salary*,
Negotiated Salary Increment and Total Annual Salary for Enrolled Faculty by Gender
All Six Campuses
2020-21

Gender	Headcount	Min of Base Salary	Average of Base Salary	Max of Base Salary
Women	111	\$91,400	\$163,665	\$385,000
Men	288	\$92,000	\$185,075	\$397,000
Overall	399	\$91,400	\$179,119	\$397,000

Gender	Headcount	Min of Negotiated Salary Increment	Average of Negotiated Salary Increment	Max of Negotiated Salary Increment
Women	111	\$8,400	\$37,433	\$115,500
Men	288	\$4,900	\$42,762	\$105,000
Overall	399	\$4,900	\$41,280	\$115,500

Gender	Headcount	Min of Total Annual Salary (Base Salary + Negotiated Salary Increment)	Average of Total Annual Salary (Base Salary + Negotiated Salary Increment)	Max of Total Annual Salary (Base Salary + Negotiated Salary Increment)
Women	111	\$104,300	\$201,098	\$500,500
Men	288	\$100,700	\$227,837	\$455,000
Overall	399	\$100,700	\$220,398	\$500,500

* Base Salary includes scale rate and any off-scale or the above scale rate.

Figure 14
Minimum, Average and Maximum of Base Salary*,
Negotiated Salary Increment and Total Annual Salary for Enrolled Faculty by Ethnicity
All Six Campuses
2020-21

Ethnicity	Headcount	Min of Base Salary	Average of Base Salary	Max of Base Salary
URM	30	\$102,800	\$151,473	\$191,600
Asian/Asian American	141	\$92,000	\$175,722	\$350,000
White/Other	228	\$91,400	\$184,857	\$397,000
Overall	399	\$91,400	\$179,119	\$397,000

Ethnicity	Headcount	Min of Negotiated Salary Increment	Average of Negotiated Salary Increment	Max of Negotiated Salary Increment
URM	30	\$14,700	\$37,919	\$57,240
Asian/Asian American	141	\$6,600	\$39,518	\$105,000
White/Other	228	\$4,900	\$42,811	\$115,500
Overall	399	\$4,900	\$41,280	\$115,500

Ethnicity	Headcount	Min of Total Annual Salary (Base Salary + Negotiated Salary Increment)	Average of Total Annual Salary (Base Salary + Negotiated Salary Increment)	Max of Total Annual Salary (Base Salary + Negotiated Salary Increment)
URM	30	\$127,800	\$189,392	\$248,040
Asian/Asian American	141	\$104,300	\$215,240	\$455,000
White/Other	228	\$100,700	\$227,668	\$500,500
Overall	399	\$100,700	\$220,398	\$500,500

* Base Salary includes scale rate and any off-scale or the above scale rate.

Figures 15 and **16** further break down the negotiated increment by rank and gender (**Figure 15**) and rank and ethnicity (**Figure 16**). The box plots show the range of the distribution of negotiated increment amounts.

As shown in **Figure 15**, the average negotiated salary increment percentage for women faculty is higher than that of men faculty at the full professor rank. While the average negotiated salary amount for women assistant professors is approximately 13% lower than that of men assistant professors, the median negotiated increment is the same. The average negotiated salary increment at the full professor rank is approximately 9.6% lower for women faculty (compared to 8% in 2019-20)

Figure 15
Minimum, Average and Maximum of Negotiated Salary Increment
for Enrolled Faculty by Rank and Gender
All Six Campuses
2020-21

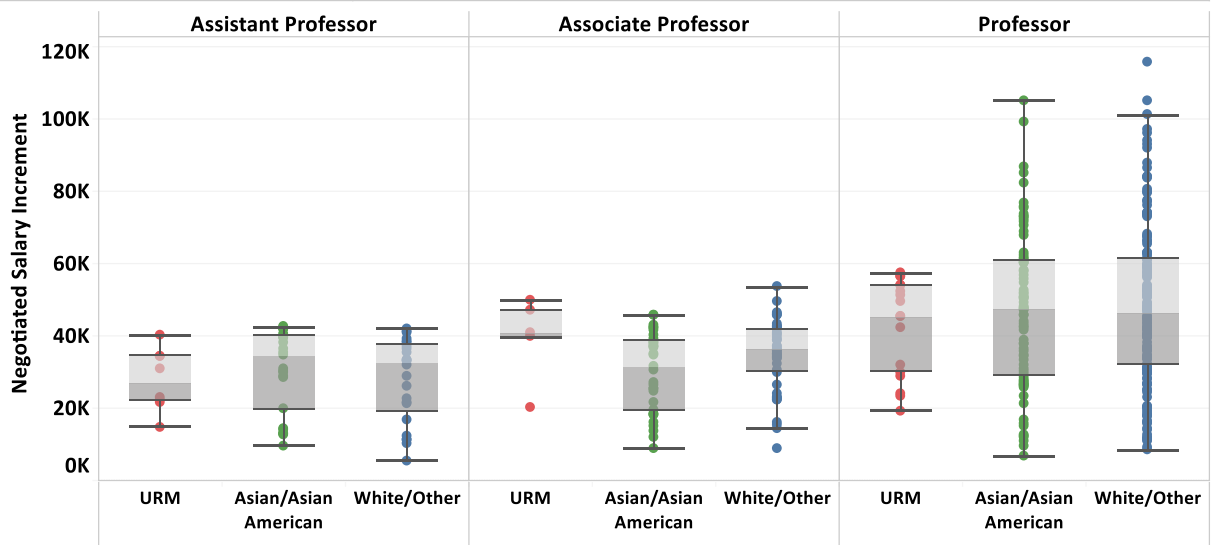


Note: The box represents the values between the first and third quartile. Excluding outliers, the whiskers represent the distances between the lowest value to the first quartile and the fourth quartile to the highest value. Where the box turns from grey to light grey is the median of the data set.

As shown in **Figure 16**, the average negotiated salary increment percentage for URM faculty is higher than Asian/Asian American and White/Other faculty at the associate professor and full professor ranks. The average negotiated salary increment amount for URM faculty is higher than Asian/Asian American and White/Other faculty at the associate professor rank, however, it lags both at the assistant professor and full professor ranks. Asian/Asian American faculty had the highest average (mean) negotiated salary increment amount at the assistant professor rank, while White/Other faculty had the highest average negotiated salary increment amount at the full professor rank.

Figure 16
Minimum, Average and Maximum of Negotiated Salary Increment
for Enrolled Faculty by Rank and Ethnicity
All Six Campuses
2020-21

Rank	Ethnicity	Avg. Negotiated Increment %	Min. Negotiated Salary Increment	Avg. Negotiated Salary Increment	Max. Negotiated Salary Increment
Assistant Professor	URM	23.0%	\$14,700	\$27,625	\$40,000
	Asian/Asian American	24.9%	\$9,500	\$30,470	\$42,400
	White/Other	23.3%	\$5,400	\$28,188	\$42,000
Associate Professor	URM	27.4%	\$20,000	\$39,412	\$49,700
	Asian/Asian American	21.9%	\$8,800	\$30,177	\$45,500
	White/Other	25.3%	\$8,800	\$34,729	\$53,400
Professor	URM	25.2%	\$19,200	\$42,324	\$57,240
	Asian/Asian American	22.7%	\$6,600	\$46,541	\$105,000
	White/Other	22.9%	\$4,900	\$47,757	\$115,500



Note: The box represents the values between the first and third quartile. Excluding outliers, the whiskers represent the distances between the lowest value to the first quartile and the fourth quartile to the highest value. Where the box turns from grey to light grey is the median of the data set.

IV. Program Fund Sources

This “Program Fund Sources” section of the report provides information on the funding of salary increments and the use of contingency funds, as stipulated by the Phase Two Metrics Working Group (**Appendix B**).

A. Funding for Negotiated Components

The NSTP basic program document specifies that only external funds will be used to support this program. “External funds” refers to any non-state-appropriated funds, such as (but not limited to) endowment or gift income, self-supporting and professional degree fees, and contract and grant support (**Appendix A**, p. 2).

Funds used for the salary increment awarded through the program are reported below in eight categories, developed in consultation with the participating campuses. **Figures 17a to 17e** display the expenditures on salary increments for all six campuses combined and then by campus. Campuses consulted closely with their contracts and grants offices to ensure that all contract and grant funds were used in allowable ways and that effort reporting was handled appropriately. In the case of funds attributed to federal contracts and grants, allocations were made in compliance with Uniform Administrative Cost Principles, and Audit Requirements for Federal Awards (2 CFR Part 200: http://www.ecfr.gov/cgi-bin/text-idx?tpl=/ecfrbrowse/Title02/2cfr200_main_02.tpl). The accounting of all fund sources was managed at the department or school level in consultation with academic personnel offices on the campuses.

Figure 17a provides detail on the NSTP salary increments by fund source for all six campuses. Overall, federal contracts and grants accounted for 56.2% of the total funds used. Gift funds accounted for 16.4% and private contracts and grants accounted for 12.1% of the funds. All remaining fund sources – which included endowment funds, self-supporting and professional degree fees, state contracts and grants, summer session fees, and other allowable funds – accounted for 15.3% of the total.

Figure 17a
Negotiated Salary Increment Source by Fund Type
All Campuses
2020-21

Fund Source	2020-21	
	Amount	% of Total
Federal C&G Funds	\$9,262,250	56.2%
Endowment Funds	\$352,421	2.1%
Gift Funds	\$2,704,002	16.4%
Private C&G Funds	\$1,992,377	12.1%
Self-Supporting and Prof Degree Fees	\$213,542	1.3%
State C&G funds	\$353,682	2.1%
Summer Session Fees	\$173,849	1.1%
Other Allowable Funds	\$1,418,472	8.6%
Total	\$16,470,594	100.0%

Figures 17b, 17c, 17d, 17e, 17f, and 17g show the campus level data.

Figure 17b
Negotiated Salary Increment Source by Fund Type
UC Davis
2020-21

Fund Source	2020-21	
	Amount	% of Total
Federal C&G Funds	\$286,228	71.4%
Endowment Funds	\$10,354	2.6%
Gift Funds	\$32,736	8.2%
Private C&G Funds	\$26,747	6.7%
Self-Supporting and Prof Degree Fees	\$0	0.0%
State C&G funds	\$44,538	11.1%
Summer Session Fees	\$0	0.0%
Other Allowable Funds	\$0	0.0%
Total	\$400,604	100.0%

Figure 17c
Negotiated Salary Increment Source by Fund Type
UC Irvine
2020-21

Fund Source	2020-21	
	Amount	% of Total
Federal C&G Funds	\$2,376,814	66.5%
Endowment Funds	\$41,887	1.2%
Gift Funds	\$421,072	11.8%
Private C&G Funds	\$478,717	13.4%
Self-Supporting and Prof Degree Fees	\$0	0.0%
State C&G funds	\$96,933	2.7%
Summer Session Fees	\$0	0.0%
Other Allowable Funds	\$157,167	4.4%
Total	\$3,572,590	100.0%

Figure 17d
Negotiated Salary Increment Source by Fund Type
UCLA
2020-21

Fund Source	2020-21	
	Amount	% of Total
Federal C&G Funds	\$3,196,391	53.7%
Endowment Funds	\$155,197	2.6%
Gift Funds	\$1,245,583	20.9%
Private C&G Funds	\$799,735	13.4%
Self-Supporting and Prof Degree Fees	\$78,643	1.3%
State C&G funds	\$115,106	1.9%
Summer Session Fees	\$173,849	2.9%
Other Allowable Funds	\$183,598	3.1%
Total	\$5,948,100	100.0%

Figure 17e
Negotiated Salary Increment Source by Fund Type
UC Riverside
2020-21

Fund Source	2020-21	
	Amount	% of Total
Federal C&G Funds	\$363,214	58.8%
Endowment Funds	\$0	0.0%
Gift Funds	\$119,926	19.4%
Private C&G Funds	\$75,800	12.3%
Self-Supporting and Prof Degree Fees	\$0	0.0%
State C&G funds	\$25,760	4.2%
Summer Session Fees	\$0	0.0%
Other Allowable Funds	\$33,300	5.4%
Total	\$618,000	100.0%

Figure 17f
Negotiated Salary Increment Source by Fund Type
UC San Diego
2020-21

Fund Source	2020-21	
	Amount	% of Total
Federal C&G Funds	\$2,759,927	50.5%
Endowment Funds	\$144,983	2.7%
Gift Funds	\$766,185	14.0%
Private C&G Funds	\$572,854	10.5%
Self-Supporting and Prof Degree Fees	\$134,899	2.5%
State C&G funds	\$71,345	1.3%
Summer Session Fees	\$0	0.0%
Other Allowable Funds	\$1,010,907	18.5%
Total	\$5,461,100	100.0%

Figure 17g
Negotiated Salary Increment Source by Fund Type
UC Santa Cruz
2020-21

Fund Source	2020-21	
	Amount	% of Total
Federal C&G Funds	\$279,676	59.5%
Endowment Funds	\$0	0.0%
Gift Funds	\$118,500	25.2%
Private C&G Funds	\$38,524	8.2%
Self-Supporting and Prof Degree Fees	\$0	0.0%
State C&G funds	\$0	0.0%
Summer Session Fees	\$0	0.0%
Other Allowable Funds	\$33,500	7.1%
Total	\$470,200	100.0%

Figure 18 displays the same fund source information for all six campuses by disciplinary groups. Five disciplinary groups account for 88% of the funding used in the program: biological sciences, engineering, information and computer science, physical sciences, and public health. The disciplinary information is not displayed by campus due to small cell sizes.

Figure 18
Negotiated Salary Increment Source by Fund Type by Broad Discipline
All Six Campuses
2020-21

Disciplinary Group	Federal C&G Funds	Gift Funds	Private C&G Funds	Self Supporting & Prof Degree Fees	State C&G Funds	Summer Session Fees	Endowment Funds	Other allowable Funds	Grand Total
Biological Sciences	\$2,060,831	\$132,489	\$201,465	\$0	\$23,000	\$129,072	\$10,400	\$146,720	\$2,703,978
Engineering	\$4,155,472	\$1,864,563	\$1,101,091	\$0	\$175,582	\$0	\$204,207	\$418,141	\$7,919,056
Information and Computer Science	\$445,885	\$157,730	\$0	\$0	\$0	\$0	\$0	\$125,735	\$729,350
Management	\$0	\$0	\$93,000	\$90,699	\$0	\$0	\$0	\$320,401	\$504,100
Marine Sciences	\$137,500	\$0	\$7,155	\$0	\$23,945	\$0	\$0	\$0	\$168,600
Other	\$387,707	\$185,374	\$158,588	\$44,200	\$63,131	\$0	\$0	\$107,070	\$946,070
Physical Sciences	\$1,146,247	\$212,532	\$207,962	\$0	\$11,925	\$0	\$37,065	\$243,869	\$1,859,600
Public Health	\$754,567	\$118,144	\$91,268	\$78,643	\$56,099	\$44,776	\$79,717	\$44,926	\$1,268,140
Social Sciences	\$174,041	\$33,170	\$131,847	\$0	\$0	\$0	\$21,032	\$11,610	\$371,700
Total	\$9,262,250	\$2,704,002	\$1,992,377	\$213,542	\$353,682	\$173,849	\$352,421	\$1,418,472	\$16,470,594

* "Other" includes Education, Global Policy and Strategy, Information Studies, Music, Pharmaceutical Sciences, Nursing, Psychological Science, and Social Welfare.

B. Establishment of Contingency Funds

The 2018 basic program document ([Appendix A](#)) does not require a “contingency fund” to cover funding shortfalls but does specify that “The Dean or his/her designee will have responsibility for managing program funds, reviewing the availability of facilities & administration (F&A), and covering any unforeseen shortfalls. General Funds cannot be substituted for external funds in support of the program” ([Appendix A](#), p. 2). In response, five of the campus programs (UC Davis, UC Irvine, UC Riverside, UC San Diego, and UC Santa Cruz) have required that a contingency fund be created. One of the campus programs (UCLA) has dealt with the responsibility for shortfalls by tasking departments/schools to manage the issue. Details are provided below.

Campuses with a Contingency Fund

For the five campuses, a key component of the NSTP is the development of a sufficient contingency fund to assure the campus does not incur unexpected costs due to the plan. Each faculty member with a negotiated salary increment is required to contribute an amount equal to 10% of the negotiated salary increment to the contingency fund. At UC Davis and UC San Diego, enrolled faculty replace a portion of their base salary with an external fund source(s), thereby releasing core funding (e.g., 19900A) used for the contingency amount. The department maintains and earmarks the pool of released salary for the contingency fund. At UC Irvine and UC Santa Cruz, enrolled faculty have two options: they may either replace a portion of their base salary with an external fund source in the same fashion as UC Davis and UC San Diego enrolled faculty, or they may utilize available fund sources, such as unrestricted gift or start-up funds, to be set aside as contingency funding. Each participating school maintains and earmarks the pool of funding for the contingency fund. Further detail on the management and use of the contingency funds are in the campus implementation documents.

For UC Riverside, the dean of each school is responsible for ensuring the total negotiated salary is 100% covered in the event the faculty member loses funding during the negotiated year period. The contingency fund sources are also determined by the dean of each school. The contingency fund account minimum balance will be set by the Dean or his/her designee, according to the number of participating faculty and likely projected need for disbursement. Faculty do not contribute to the contingency fund.

Figure 19
Total Contingency Fund Amounts By Campus*
2020-21

Campus	Contingency Funds	Percentage of Total Negotiated Increments
Davis	\$75,790	18.9%
Irvine	\$474,628	13.3%
Riverside	\$61,800	10.0%
San Diego	\$546,581	10.0%
Santa Cruz	\$47,020	10.0%

* For 2020-21, UCLA's Fielding School of Public Health maintained a contingency fund balance of \$400,000. All other participating units at UCLA do not have a contingency fund.

Campuses Without a Required Contingency Fund

At UCLA, the campus implementation document provides guidelines on the contingency fund in section X, "Financial Responsibility." Section X states that "the dean may establish a contingency fund at a designated percentage rate to ensure coverage of TUCS obligations"; guidance is also given on how such a fund could be managed. Within that flexibility, some deans choose to designate a schoolwide unrestricted fund source to guarantee availability of the funds for contingency purposes. This approach normally applies to academic units that have a limited number of NSTP participants. Some other deans, however, choose to manage their financial responsibilities by requiring NSTP participants or their departments to provide an unrestricted full accounting unit (FAU) which would be used to fund any negotiated salary component, if necessary. Primarily, these unrestricted funds are gifts, indirect cost recovery (ICR), or other unrestricted sources belonging to the participant, but by negotiation with the chair, departmental discretionary funds such as ICR or summer revenue may be identified as the source of the alternative contingency funding. Review by fund managers and by chairs ensures that these sources are indeed eligible and available for this purpose. Faculty will not be approved to participate in NSTP if they can neither provide a fund source, nor gain the approval of the chair to have the department backstop the main source of funding. It is also divisional policy that a faculty member who had to invoke the use of contingency funding would not be allowed to participate in the NSTP the following year.

V. Summer Salary and Administrative Stipends

This "Summer Salary and Administrative Stipends" section of the report provides data on summer-ninths and stipends for enrolled faculty, as stipulated by the Phase Two Metrics Working Group ([Appendix B](#)).

A. Summer Salary

When the NSTP was designed, it was assumed that faculty who already had sufficient support to fund three months of summer salary would be most likely to enroll because they had already

maximized their compensation outside of the program. Although the ability to fund three ninths summer salary is not a program requirement at UC Irvine, UC San Diego, and UC Santa Cruz, the data below suggest the vast majority of faculty elected to be paid three ninths at the total UC salary rate, which includes the negotiated salary increment. At UC Davis, UCLA, and UC Riverside, eligible faculty are required to maximize summer ninth opportunities before utilizing the NSTP. For 2020-21, 88% of NSTP participants earned the maximum of three months of summer salary (352 of 399 participants).

Figure 20 shows the number of faculty earning three, two, one, or no months of summer salary.

Figure 20
Headcount of NSTP Enrolled Faculty with Amount of Summer-Ninths by Campus
2020-21

Campus	3 months	2 months	1 month	No Summer Salary	Total
Davis	3	0	0	9	12
Irvine	78	5	1	9	93
Los Angeles	133	0	0	0	133
Riverside	19	0	0	0	19
San Diego	115	9	5	1	130
Santa Cruz	4	0	2	6	12
Total	352	14	8	25	399

B. Administrative Stipends

Eligibility rules for the NSTP stipulate that deans and full-time faculty administrators could not participate in the program. However, faculty with partial administrative appointments are eligible to participate. Data show that 20% of NSTP enrollees in 2020-21 received some form of stipend for their duties as a department chair or vice chair, as an associate or assistant dean, or as another type of part-time faculty administrator (program director, center director, etc.). For those who received administrative stipends in the 2020-21 program, the average stipend amount was \$14,682.

VI. Faculty Workload, NSTP Participants Compared to Non-participants

This “Faculty Workload” section of the report provides data on the teaching loads of enrollees and other faculty in participating units, as stipulated by the Phase Two Metrics Working Group ([Appendix B](#)).

To analyze the impact of the program on faculty teaching, the metrics workgroup requested documentation of the teaching workload of participants (enrollees) compared to non-participants in the same units. Each campus collected teaching data for all departments that had participants (enrolled faculty) in the program. The data collected were the FTE of participants and non-participants, the type of instruction (graduate and undergraduate), the number of courses taught, the number of students enrolled in courses, and student credit hours (enrollment multiplied by the number of units). The results by department/school were then aggregated into disciplinary categories.

The 2013 Taskforce had stipulated that the workload for the program year(s) needed to be compared with the workload in the prior two years. For this Phase Two, year three report, data was collected for 2020-21 to compare to the previous two years, 2018-19 and 2019-20.

For the new Phase Two campuses (UC Davis, UC Riverside, and UC Santa Cruz), NSTP participants taught an average of 88.3 student credit hours (SCH) in the 2020-21 year versus 111.7 in the prior two years, a decrease of approximately 21% (See [Figure 21](#)). By comparison, the teaching load of non-participating faculty in the same units increased 9%, from an average of 96.2 SCH in 2018-19 and 2019-20 to 104.8 SCH in 2020-21. (See [Figure 22](#)). It should be noted that changes in teaching load varied widely by discipline, and that other factors besides enrollment in the NSTP can affect faculty teaching loads.

Figure 21
NSTP Enrollees
Teaching Workload, Graduate and Undergraduate
Phase Two Campus – UCD, UCR, UCSC
Includes Fall, Winter and Spring Quarters Only
2018-19 & 2019-20 to 2020-21

Discipline	Two Year Average of Three Quarters Average 2018-19 and 2019-20		Three Quarters Average 2020-21		Percent change to current program year (2020-21) from prior two years (2018-19 and 2019-20)	
	Faculty FTE	Student Credit Hours (SCH) per Faculty FTE	Faculty FTE	Student Credit Hours (SCH) per Faculty FTE	Faculty FTE	Student Credit Hours (SCH) per Faculty FTE
Biological Sciences	14.9	47.3	11.4	54.1	-23%	14%
Engineering*	37.3	96.1	39.4	83.2	6%	-13%
Physical Sciences	8.5	293.4	8.8	155.6	4%	-47%
NSTP Enrollees Overall	60.6	111.7	59.7	88.3	-2%	-21%

Figure 22
NSTP Non-enrollees in participating units
Teaching Workload, Graduate and Undergraduate
Phase Two Campus – UCD, UCR, UCSC
Includes Fall, Winter and Spring Quarters Only
2018-19 & 2019-20 to 2020-21

Discipline	Two Year Average of Three Quarters Average 2018-19 and 2019-20		Three Quarters Average 2020-21		Percent change to current program year (2020-21) from prior two years (2018-19 and 2019-20)	
	Faculty FTE	Student Credit Hours (SCH) per Faculty FTE	Faculty FTE	Student Credit Hours (SCH) per Faculty FTE	Faculty FTE	Student Credit Hours (SCH) per Faculty FTE
Biological Sciences	201.6	40.3	197.9	43.5	-2%	8%
Engineering*	269.8	107.2	299.6	118.3	11%	10%
Physical Sciences	102.3	177.8	100.1	185.7	-2%	4%
NSTP Non-Enrollees Overall	573.7	96.2	597.5	104.8	4%	9%

* Historical data for UCSC's Computer Science and Engineering and Electrical and Computer Engineering departments was not available for 2018-19. During 2018-19, the School of Engineering began restructuring departments, faculty assignments, and academic programs. They were only able to provide one year (2019-20) of comparable data to recast previous years to the current 2020-21 departmental structure. As a result, the workload data from those two departments only include 2019-20 and 2020-21 data for Figure 21 and Figure 22.

For the campuses (UC Irvine, UCLA, and UC San Diego) that participated in the initial NSTP program (or Phase One), the prior two years' data is no longer a valid control because the majority of NSTP participants from those campuses (61.0%) have now been enrolled in the program for the past three or more years. (That is, they participated in the program in 2018-19 and 2019-20.) For these campuses, instead of comparing with the two prior years, the comparison is made with non-participating faculty in the same units. For 2020-21, NSTP participants taught an average of 198.2 student credit hours (SCH) (**Figure 23**) versus 209.2 SCH for non-participating faculty (**Figure 24**) in the same units.

Figure 23
NSTP Enrollees
Teaching Workload, Graduate and Undergraduate
Phase One Campuses – UCI, UCLA, and UCSD
Includes Fall, Winter and Spring Quarters Only
2020-21

Discipline	Three Quarters Average 2020-21	
	Faculty FTE	Student Credit Hours (SCH) per Faculty FTE
Biological Sciences	60.5	215.6
Engineering	129.3	214.0
Information and Computer Science	15.0	226.6
Management	9.0	256.8
Marine Sciences	7.1	88.2
Other	21.9	151.8
Physical Sciences	32.8	192.9
Public Health	27.0	93.3
Social Sciences*	6.8	307.7
NSTP Enrollees Overall	309.4	198.2

* Faculty FTE data was not available for UCSD's Political Science department. As a result, the workload data from UCSD's Political Science department was excluded from Figure 23.

** "Other" includes Education, Global Policy and Strategy, Information Studies, Music, Pharmaceutical Sciences, Nursing, Psychological Science, and Social Welfare.

Figure 24
NSTP Non-enrollees in participating units
Teaching Workload, Graduate and Undergraduate
Phase One Campuses – UCI, UCLA, and UCSD
Includes Fall, Winter and Spring Quarters Only
2020-21

Discipline	Three Quarters Average 2020-21	
	Faculty FTE	Student Credit Hours (SCH) per Faculty FTE
Biological Sciences	241.6	225.5
Engineering	363.3	222.6
Information and Computer Science	72.5	294.2
Management	94.9	193.4
Marine Sciences	84.4	68.2
Other	180.5	173.8
Physical Sciences	353.9	202.7
Public Health	55.2	92.7
Social Sciences*	110.0	333.0
NSTP Non-Enrollees Overall	1,556.2	209.2

* Faculty FTE data was not available for UCSD's Political Science department. As a result, the workload data from UCSD's Political Science department was excluded from Figure 24.

** "Other" includes Education, Global Policy and Strategy, Information Studies, Music, Pharmaceutical Sciences, Nursing, Psychological Science, and Social Welfare.

VII. Assessing changes to Graduate Student and Postdoctoral Scholar Support

The original metrics established to evaluate the program and its impact on faculty responsibilities outlined the need to measure any changes in the faculty participants' support of graduate students and postdocs. The NSTP 4th Year Taskforce raised this issue again in its deliberations, opining that the evidence presented to date was anecdotal and not sufficient to prove that support for graduate students and postdocs was not being adversely affected by the NSTP. In response, representatives from UC Irvine showed that the Irvine campus had been collecting internal data on faculty support of graduate students and postdocs by including questions on the application form that faculty use to request enrollment in the NSTP. The Taskforce recommended that as part of any extension of the NSTP, all participating campuses would need to include in their application form questions about the size and composition of faculty research groups and their support of graduate students, based on the Irvine application form.

This information was added to the common application form questions that were distributed to campuses that were participating and/or considering participating in the NSTP in February 2018. As modeled after the Irvine application form, research group data was requested for the two prior years (2018-19 and 2019-20) from the program year (2020-21). In order to properly assess this data, data is needed from the NSTP year as well. As a result, analysis on graduate student and postdoc support, as well as research group expenditures will be included as part of the comprehensive review after the third year of Phase Two of the program (at which point, four years of research group data will be available for analysis).

VIII. Department Chair/Leader Survey Summary

The Phase Two Metrics Working Group recommendations included the administration of annual department chair/leader surveys to collect information on the effect of the NSTP on recruitment and retention. For Phase Two year three, the survey was administered in August 2021 (see [Appendix C](#) for full detail on the survey).

For 2020-21, survey respondents reported that NSTP played a role in the success of 44.6% of total recruitments and 44.8% of total retentions. For recruitments, this is an increase from 2019-20, where respondents reported 37.6%. The importance of NSTP in retentions remained relatively steady from 2019-20, when respondents reported 45.5%. Department chairs/leaders also stressed the importance of NSTP in those successful recruitments and retentions, with 88.9% rating NSTP as “Very Important”/“Important” to successful recruitments and 92.3% rating NSTP as “Very Important”/“Important” to successful retentions.

For unsuccessful recruitments, department chairs/leaders indicated that the existence of the NSTP helped the campus remain competitive during the recruitment and attributed candidate decisions to other factors such as partner hires as reasons for the failure of a recruitment.

IX. Cross-campus Discussion and Next Steps

This report on the third year of Phase Two will be shared with academic administrators, faculty leaders, and other campus administrators involved in the program.

In October 2021, the Provost appointed a taskforce to review the NSTP and make recommendations whether to institutionalize the program in policy or to end it at the conclusion of Phase Two.

Any feedback on this report should be sent to Vice Provost Carlson at the Office of the President (susan.carlson@ucop.edu).

X. Appendices

- A. NSTP Phase Two Basic Program Document (February 2018)
- B. Goals, Data Collection, Metrics, and Reporting, NSTP Phase 2 (October 26, 2018)
- C. NSTP 2020-21 Department Chair/Leader Survey Results
- D. NSTP Phase 2 Department Chair/Leader Survey Questions
- E. NSTP Phase 2 Compilation of Key Indicators