September 19, 2014

COUNCIL OF VICE CHANCELLORS
LABORATORY DIRECTOR ALIVISATOS
ACADEMIC COUNCIL CHAIR GILLY
ANR VICE PRESIDENT ALLEN-DIAZ

Re: Systemwide Review of Proposed Revised Academic Personnel Manual (APM) Section 080, Medical Separation and Section 330, Specialist Series

Dear Colleagues:

Enclosed for Systemwide Review are proposed revisions to Sections 080, Medical Separation (APM - 080) and 330, Specialist Series (APM - 330). These proposed changes to two separate APM sections result from the substantive matters discussed below.

APM - 080, Medical Separation

The intent of APM - 080 remains a non-disciplinary method to medically separate a faculty member or other academic appointee who has exhausted eligible leave and who remains unable to perform the essential functions of his/her position or another vacant position for which the appointee is qualified, due to a disability or medical condition. Proposed revisions are intended to 1) bring APM - 080 into conformance with Regents Standing Order 101.1(b), Employment Status, 2) clarify authority to medically separate faculty with and without tenure or security of employment and appointees who are not members of the Academic Senate, and 3) revise language so that it is congruent with Americans with Disabilities Act (ADA) requirements. Additionally, the proposal is responsive to campus administrator and faculty requests to clarify the medical separation review process and to delineate the required consultation with the Disability Management Office, the written notice of intent to separate, the written notice of medical separation, and the appropriate approval authority.

Summarized below are some of the recommendations from Management Consultation (April – June 2014) that have been incorporated in the Systemwide Review draft:

- The proposed process regarding the interaction of the department chair and the dean has been streamlined by having the dean alone forward the recommendations of both the dean and the department chair to the chancellor.

- Some reviewers noted that the disability management officer (or equivalent) is appropriately involved in the medical separation process early on as advisory to the department chair and dean. Proposed language reflects that the disability management officer (or equivalent) will review and comment on the medical separation file before the file is submitted to the chancellor, and not afterward.
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- Changes have been made in response to reviewers’ assertion that the appointee has the right to review the medical separation file and to challenge the accuracy of the statements before submission to the Chancellor and, in cases requiring the Regents’ approval, before submission to the President.

- A section is added to insure and to define adequacy of notice to the appointee regarding the intent and the action to medically separate.

APM - 330, Specialist Series

Historically, the Specialist title series was used only in the Agricultural Experiment Station (AES). In 1962, use of the title was extended to the Scripps Institution of Oceanography and other departments and institutes in which individuals were similarly engaged in research. Since then, use of the title has grown; it is now utilized across many different disciplines with both technical and professional research programs. Currently, there are approximately 2,500 individuals appointed systemwide in the Specialist series.

APM - 330 defines responsibilities and requirements for appointment in the Specialist series, one of several academic title series used for appointees who are engaged in research and who do not have teaching responsibilities. Proposed revisions respond to campus requests to update the policy, recognizing the need to distinguish the Specialist title from the Staff Research Associate (SRA) title and other academic research titles.

Summarized below are some of the recommendations from Management Consultation (April – June 2014) that have been incorporated in the Systemwide Review draft:

- Proposed new language makes University and public service optional depending on the requirements of the funding source and duties.
- Amended language refines the criteria for each rank as well as educational and experiential qualifications for appointment and advancement.
- Current language is enhanced to be inclusive of the differences in disciplines and ranks.
- Conditions of employment are expanded and clarified to mirror other series within the APM.
- Language is refined within the salary and above-scale status sections.

Systemwide Review

Systemwide Review is a public review distributed to the Executive Vice Chancellors/Provosts, the Director, Lawrence Berkeley National Laboratory, and the Vice President of Agriculture and Natural Resources requesting that they inform the general University community, affected employees and union membership about policy proposals. Systemwide Review also includes a mandatory, three-month full Senate review. Employees should be afforded the opportunity to review and comment on the draft policy, available online at http://www.ucop.edu/academic-personnel-programs/academic-personnel-policy/policies-under-review/index.html. Attached is a Model Communication which may be used to inform non-exclusively represented employees about these proposals.
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We would appreciate receiving your comments by December 19, 2014. Please submit your comments to ADV-VPCARLSON-SA@ucop.edu. If you have any questions, please contact Janet Lockwood at Janet.Lockwood@ucop.edu or (510) 987-9499.

Sincerely,

S[Signature]

Susan Carlson
Vice Provost
Academic Personnel and Programs

Enclosures: Proposed Revised APM - 080 (redline and clean copy)
Proposed Revised APM - 330 (redline and clean copy)
Model Communication

cc: President Napolitano
Chancellors
Provost and Executive Vice President Dorr
Secretary Shaw
Senior Vice President Vacca
Vice President Duckett
Interim Vice President Tucker
Vice Provosts of Academic Personnel/Academic Affairs
Chief of Staff Grossman
Deputy/UCOP Compliance Officer Lane
Deputy to the Chief of Staff Riley
Academic Personnel Directors
Deputy General Counsel Drown
Senior Counsel Van Houten
Executive Director Baxter
Executive Director Fox
Executive Director Rodrigues
Executive Director Tanaka
Director Chester
Manager Lockwood
Policy and Compensation Analyst Flinker
Policy Coordinator Trifonov
Human Resources Policy Analyst Bello
Senior Administrative Assistant Rupert