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3061: GENERAL GUIDELINES

The Specialist series is used for an academic appointee who has an identified area of technical specialization and provides technical or specialized expertise (e.g., with instrumentation and research equipment or with social science research methods) in the planning and execution of a research project or projects. At the Junior and Assistant levels, the appointee enables research as part of a team. At the Associate and Full levels, the appointee provides considerable independent input into the planning and execution of research. Normally, Specialists do not have Principal Investigator (PI) status, but may obtain permission by exception and/or collaborate with a PI in preparing research proposals for extramural funding. Specialists do not have any teaching responsibilities.

A Specialist differs from a Staff Research Associate title (or any other staff title) in that Specialists are required to be actively/significantly involved in publishable research activities as documented through publications or other methods; are required to maintain/enhance their professional competence; are required to show leadership in their technical expertise; and as is the case in other academic series, mere length of service and continuous meritorious performance are not sufficient justification for advancement.

Appointees in the Specialist series are assessed on their professional competence and activity, their University and public service, and the value and impact of their contributions to their areas of research and their advancement of knowledge in the discipline as judged by other academics and scientists through a process of peer review (APM 330).

| Ranks and Steps for Specialist Series | |
|---------------------------------------|---------------------------|
| Level | Normal Periods of Service |
| Junior Specialist I, II | 1 Year per Step |
| Assistant Specialist I, II, III | 2 Years per Step |
| Associate Specialist I, II, III | 2 Years per Step |
| Associate Specialist IV | None |
| Specialist I, II | 3 Years per Step |
| Specialist III, IV, V | None |

3062: RECRUITMENT

Specialists above the Junior level can be hired either through Open Recruitment (3062.A) or with a Waiver of Recruitment (3062.B).

A. OPEN RECRUITMENT

To initiate a recruitment, the PI should complete form **AP601: Job Posting Request (Researchers Only)** and submit it to his or her Dean's office for approval and routing to the Academic Personnel Office (APO). APO is responsible for approving all ads and posting on the UC Merced website. Approved ads will be posted in external journals and websites by School staff. Ads will be posted for a minimum of thirty days to ensure broad access, and no scheduled interviews should take place before the end of the thirty-day period.

During recruitment, PIs must pay attention to the employment eligibility of any international applicants. Appropriate visas can take several months to obtain, and the PI should notify School staff and APO as early as possible of a potential visa case. While an application for a visa cannot be finalized until the appointment is approved, preliminary inquiries can often help in starting the visa process. Questions should be referred to the **Office of International Affairs (OIA)**. (see **APM 530**)

B. WAIVERS OF RECRUITMENT

It is understood that circumstances exist in which a Waiver of Recruitment is appropriate. Such circumstances include, but are not limited to:

- A candidate is so uniquely qualified for the position (e.g., based on research expertise, or national or international recognition, or specific knowledge, skills, or abilities) that an open recruitment is unlikely to result in attracting a more qualified individual.
- A new appointee relocates his or her laboratory to UC Merced and brings individuals who are currently funded by the project. Since the job is moving, the individuals employed on the project are moving with the job.
- A candidate is a faculty member's advisee and agrees to remain at UC Merced in a post-graduation appointment to complete the work on an ongoing project and/or to write the results for publication of the completed research.
- A request for Waiver of Recruitment can be submitted via memo from the PI to the appropriate Dean. If the Dean approves the request, it shall be forwarded to APO. The request should include:
 - candidate's name
 - proposed title, step, annual salary, percentage, appointment begin and end date
 - a description of how the candidate was identified
 - an explanation of the reason for waiving the open recruitment (i.e., unique qualifications or appointee is employed in a relocated lab)

C. REAPPOINTMENT

An open recruitment is not required in order to reappoint an individual when that individual was previously recruited for the same position.

3063: APPOINTMENT

A. TERM OF APPOINTMENT

An appointment or reappointment to a Specialist title is normally made with a specified ending date. Appointments may be made on a full- or part-time basis. Reappointments may be made to the same rank and step; i.e., without a merit increase or promotion.

B. CRITERIA

In judging a candidate for appointment in this series, the following criteria are provided as guidelines and may be used flexibly where deemed necessary.

- Performance in research in specialized areas
- Professional competence and activity
- University and public service

Particular attention should be paid to the analytical evaluation of the candidate's accomplishments.

General guidelines for initial appointment requirements are as follows:

- **Junior Specialist:** Recent bachelor's degree related to proposed responsibilities.
- **Assistant Specialist:** Bachelor's degree related to proposed responsibilities; up to five years relevant experience.
- **Associate Specialist:** Bachelor's or master's degree (or equivalent); five to ten years relevant experience. Advancement beyond Associate Specialist I requires meritorious performance and a growing record of accomplishment and independence.
- **Specialist:** Master's or doctorate (or equivalent); more than ten years relevant experience; significant expertise and record of accomplishments. Advancement beyond Specialist I requires meritorious performance and a growing record of accomplishments and specialized contributions that have a major impact on the project(s).

In addition, appointment levels reflect the candidate's expertise in the given specialty. The initial rank of an appointee is determined by:

- the specialization and experience of the candidate;
- the complexity of the research for which the candidate will be responsible;
- the level of independence with which the candidate will work (working independently does not mean that the candidate has an independent program); and
- the specialized research duties the candidate will assume.

C. SALARY

- Individuals appointed to this series are compensated on the Academic Salary Scale for the Specialist series on a fiscal year basis
- Off-scale salaries are not allowable in the Specialist series
- Salaries are subject to range adjustments
- Each funding source for this series must permit research
- Appointments without salary are allowable in this series

D. PROCESS

1. The PI will prepare an appointment file for the selected candidate to be forwarded to the appropriate Dean. The appointment file should contain an updated curriculum vitae, verification of funding, and a completed AP-611 form, which provides the following information:
 - candidate's name
 - proposed title, step, annual salary, percentage, appointment begin and end date
 - information regarding any current UC employment to verify that candidate is not currently in a represented position
 - specific qualifications that apply to the Specialist series
 - outline of expected duties and contributions

Non-confidential letters of recommendation or other supporting documents may be included.

2. If approved, the Dean will sign the AP-611 form and forward to APO for review.
 3. Following sign-off by APO, the Dean's office will issue an appointment letter to the candidate.
 4. The completed file will be forwarded to APO as Office of Record for academic appointments.
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3064: MERIT, PROMOTION, APPRAISAL REVIEW

All advancement cases are based on the individual's achievements and the availability of funding. Normal advancement will occur after one year at step at the Junior level, two years at step at the Assistant and Associate level, and after three years at step at the Specialist level. Merit advancements are based on the academic record since the last review while promotions are based on the career academic record.

The process for advancements follows the process for appointments. Additionally, the PI's letter of recommendation for merit or promotion should include an evaluation of the candidate's work and his or her contributions to the group effort, if relevant. Each Unit should establish set procedures for evaluation of Specialist series appointees. While review done solely by the PI is acceptable, a fuller review, including input from other equal or higher-ranking individuals in the Unit is preferable. The candidate may provide a written Self-Statement if desired by the PI, the Unit, or the candidate him/herself.

3066: DISCIPLINE

This policy provides the standards and procedures for instituting corrective action or dismissal of non-Senate academic appointees. Corrective action or dismissal may be instituted for good cause, including but not limited to misconduct, unsatisfactory work performance, or dereliction of academic duty.

For non-Senate academic appointees who are subject to peer review for performance evaluation, demotion and dismissal for unsatisfactory work performance shall involve the regular peer review process. Such peer review shall be advisory to the administrator authorized to institute the demotion and dismissal action.

RESPONSIBILITY

Unit Chairs, supervisors and other appropriate administrative authorities have the responsibility to ensure that each appointee has the appropriate training and mentoring opportunities in order to successfully carry out the job duties and responsibilities of his or her position. It is expected that each aforementioned supervisor will ensure that timely communications, documentation and performance review have occurred prior to initiating corrective action and/or any recommendation for dismissal.

PRIOR TO INSTITUTING ACTION

Prior to instituting corrective action and/or dismissal as described in the sections that follow, efforts to resolve the problem should be attempted.

For performance-related issues, supervisors are responsible for counseling individuals as deficiencies in job duties occur. If deficiencies continue, counseling memos should be issued to the appointee. The documentation, in the form of a counseling memo should clearly identify the problem area(s), the expected standards, and refer to any previous discussions the supervisor has had with the appointee. The supervisor should follow up with the appointee at an appropriate interval, informing him or her whether the deficiency has been corrected or further improvement is required.

Performance reviews should appropriately address any deficiencies that required documentation. If during the course of the performance review it is determined that previously acknowledged deficiencies still exist or performance continues to be unsatisfactory, corrective action should be instituted.

For actions that involve serious misconduct, such as those involving the health and safety of other University employees, or that may involve the misuse of University property, it may be appropriate to initiate corrective action and/or dismissal immediately.

TYPES OF CORRECTIVE ACTION AND DISMISSAL

Corrective actions include written warning with consequence, written censure, suspension without pay, or demotion. Corrective action shall normally be taken in progressive steps, beginning with a written warning, except when corrective action is the result of conduct which an appointee knows or reasonably should have known was unsatisfactory. Unsatisfactory conduct may include but is not limited to dishonesty, theft or misappropriation of University property, fighting on the job, insubordination, acts endangering others, sexual harassment or other serious misconduct.

Written warning is a formal communication that informs the appointee of a deficiency in performance or an incident of misconduct. A written warning contains not only the specifics of the performance or an incident, but also a method for correction and a clear statement of the probable consequence if the deficiency or misconduct is not corrected.

Written censure is a formal reprimand that conveys institutional rebuke. It may be issued to an appointee for performance or conduct the appointee knows or reasonably should have known was inappropriate or unsatisfactory. Written censure informs the appointee of the serious nature of the event. A written notice of intent must precede the issuance of a written censure.

Suspension is debarment without pay from the appointee's responsibilities for a stated period of time. An appointee may be suspended for performance or conduct the appointee knows or reasonably should have known was inappropriate or unsatisfactory. A written notice of intent to suspend must precede the issuance of a written notice of suspension.

Demotion is a temporary or indefinite reduction in rank, step, and/or salary. An appointee may be demoted for performance or conduct the appointee knows or reasonably should have known was inappropriate or unsatisfactory. A written notice of intent to demote must precede the issuance of a written notice of Suspension. For non-Senate academic appointees who are subject to peer review for performance evaluation, demotion for unsatisfactory work performance shall involve the regular peer review process.

Dismissal is the termination of employment initiated by the University prior to the ending date of appointment. An appointee may be dismissed for continued poor performance as a consequence of a previous written warning. An appointee may also be dismissed without previous written warning or as a result of conduct the appointee knows or reasonably should have known was unsatisfactory or inappropriate. In both cases, a written notice of intent to dismiss must precede the issuance of a written notice of dismissal.

For non-Senate academic appointees who are subject to peer review for performance evaluation, dismissal for unsatisfactory work performance shall involve the regular peer review process.

PROCEDURES

Corrective action or dismissal as defined by this policy is subject to review and approval of the Vice Provost for Academic Personnel.

A. INVESTIGATORY LEAVE

An appointee may be placed on an immediate investigatory leave with pay without prior written notice for the purpose of reviewing or investigating charges of misconduct or dereliction of duty, which, in the judgment of the supervisor, requires removal of the appointee from responsibilities and/or University premises. Such investigatory leave must be confirmed in writing to the appointee normally within five working days after the leave is effective. The notice shall include the reasons for and the expected duration of the leave.

B. WRITTEN WARNING

A written warning issued under this policy as a result of continued poor performance, a less than satisfactory performance review, or due to inappropriate or unsatisfactory conduct must state the serious nature of the performance or conduct and a probable consequence appropriate to the circumstance.

C. WRITTEN NOTICE OF INTENT

A written notice of intent shall be provided to the appointee prior to initiating a written censure, suspension without pay, demotion, or dismissal. Notice of intent is not required for a written warning. The notice of intent shall provide:

- the serious nature of the deficiency or conduct;
- the intended action, including any salary consequence of the action;
- proposed effective date;
- reason for the action and or basis of the charges, including copies of pertinent material upon which the intended action was based;
- the appointee's right to respond either orally or in writing within fourteen (14) calendar days of the date of issuance of the written notice of intent;
- the name of the person to whom the appointee should respond.

D. WRITTEN NOTICE OF ACTION

Following the review of an appointee's oral or written response, if any, to the notice of intent, a written notice of action shall be issued to the appointee. The notice of action shall be issued within thirty (30) calendar days of the date of issuance of the written notice of intent. Such notice of action shall:

- notify the appointee of the corrective action or dismissal to be taken;
- notify the appointee of the effective date of the action;
- notify the appointee of the right to grieve the action under **APM 140**.

The notice of action may specify corrective action less severe than that described in the notice of intent, or it may specify that no corrective action will be taken; however the notice of action may not include an action more severe than that described in the notice of intent.

E. REPRESENTATION

An appointee may be self-represented or may be represented by another person at any stage of the corrective action or dismissal process.

F. EXTENSION OF TIME

Prior to the expiration of any time limit, extensions may be granted for good cause by the Vice Provost for Academic Personnel.

G. RECORDS

A copy of the written warning, written censure, suspension, demotion, dismissal, the written notice of intent, and a copy of all supporting documents upon which the decision to take corrective action or dismissal was based shall be placed in the appointee's official personnel file. Such materials may be considered in connection with a recommendation or decision in a personnel action involving the individual if the materials are made part of the personnel review by the Vice Chancellor for Academic Personnel. An appointee shall have the right to have inserted into the personnel file any statement or response to these materials in accordance with **APM 160-30**.

H. NOTICE PROCEDURES

Any notice to the appointee pursuant to this procedure shall be deemed conclusive by delivery to the appointee's last known address.

3067: GRIEVANCE PROCESS

A non-Senate academic appointee is entitled to select only one grievance review mechanism **(APM 150-40)**. For a non-Senate academic appointee with a term appointment, if the hearing has not commenced by the ending of the appointment, the dismissal becomes a non-reappointment effective at the end of the appointment. The appointee has 30 days from the ending date of the appointment to grieve the non-reappointment **(APM 137, APM 140)**. The grievance should be submitted in writing to the Vice Provost for Academic Personnel.