

## **ARTICLE 26 SPECIALIST SERIES**

### **A. GENERAL PROVISIONS**

#### **1. Definition**

Titles in the Specialist series are assigned to those appointees who are engaged in specialized research, professional activity, and University and/or public service and who do not have any formal teaching responsibilities. Specialists are expected to use their professional expertise to make scientific and scholarly contributions to the research enterprise of the University and to achieve recognition in the professional and scientific community. Specialists may participate in University and/or public service depending upon funding source and the duties required by the job description for the position.

Most Specialist appointments are made to provide research projects with special skills, experience, and knowledge. A Specialist provides considerable independent input into the planning and execution of research; however, the Specialist generally works under the direction of an appointee in the Professional Research or Professorial series. Individuals may be appointed in the Specialist Series to positions in which conducting research is not the principal responsibility, and in which they provide specialized skills in support of research. The Specialist provides a service to a supervisor, a group, or the institution.

#### **2. University's Academic and Management Rights**

- a. The University shall have the sole, non-grievable discretion to determine promotions, merit increases, and non-reappointments, per Article 13 - Management and Academic Rights.
- b. Academic judgment is not subject to grievance or arbitral review. As such, an arbitrator shall not have the authority to substitute their judgment for the University's judgment regarding the Specialists' performance or qualifications, nor shall the arbitrator have the authority to order the University to provide a merit increase or promotion. If the arbitrator finds a procedural violation, the arbitrator's authority shall be limited solely to ordering the University to repeat the review from the point at which the violation occurred.

3. Pursuant to local guidelines and procedures, appointees in the Specialist series may be eligible to be considered for exceptional Principal Investigator/Co-Principal Investigator status.

## **B. RANKS AND STEPS**

### **1. General Conditions**

a The following ranks and steps apply to the Specialist series:

- 1) Junior Specialist, Step I-II – Appointees to the Junior rank should possess a baccalaureate degree (or equivalent degree) or equivalent research experience.
- 2) Assistant Specialist, Step I-III – Appointees to the Assistant rank should possess expertise consistent with four (4) to six (6) years of training and/or experience in the relevant specialization. Appropriate qualifications for appointees at this rank would include possession of a Master's degree in a relevant discipline, or possession of a relevant baccalaureate degree plus three (3) or more year of research experience.
- 3) Associate Specialist, Step I-IV – Appointees to the Associate rank should possess a master's degree (or equivalent degree) or five to ten years of experience demonstrating expertise in the relevant specialization. Associate Specialists are normally expected to have a record of academic accomplishments, including contributions to published or in- press research in the field and a demonstrated record of University and/or public service.
- 4) Specialist (for purposes of this Article, referred to as "Full"), Step I-IX – Appointees to the Full rank should possess a terminal degree (or equivalent degree) or ten or more years of experience demonstrating expertise in the relevant specialization. Specialists at full rank are normally expected to have a significant record of academic accomplishments, including contributions to published or in-press research in the field, professional recognition in the field, and a demonstrated record of University and/or public service.

- b. At the Davis campus, each step has a corresponding half-step (e.g., Assistant Specialist Step I, I.5, II, II.5, etc.), beginning with the Assistant rank and above. Provisions in this section pertaining to normative time at each step and to overlapping steps also apply to the applicable half-steps at the Davis campus.
- c. Junior Specialists are normally appointed for a term not to exceed one year, and may be reappointed for a maximum of one second full year. An additional reappointment for up to a third full year may be requested by a PI and is subject to review and approval by the relevant Dean or appropriate designee. No Junior Specialist will be appointed at this rank for more than three (3) years.

2. Normative Time at Each Step

- a. The normal time at each step within the Junior Specialist rank is 1 year. The normal time at each step within the Assistant and Associate Specialist rank is 2 years. Within the Full Specialist rank normal time at Steps I-VIII is 3 years. Time at Full Specialist, Step IX is for 4 years but may be for an indefinite time.
- b. With the exception of Junior Specialists, for initial appointments that begin mid-cycle, the time for the first review period may be more or less than the normative time above. See Section D.2.b below regarding review schedules.

**C. TERM OF APPOINTMENT**

1. Appointment Length

- a. An appointment in the Specialist series shall normally have a specified ending date and appointment percentage, and the appointment shall terminate on the specified ending date without any further action. An appointment to Full Specialist Step IX may be for an indefinite duration.

- b. Initial Appointments

- 1) First Appointment

The Specialist's first appointment shall be for a minimum of one-year, provided that there is work, programmatic need, and appropriate funding. In making initial appointments, the

determination of work, programmatic need, and appropriate funding are within the University's sole discretion, per Article 13 - Management and Academic Rights.

2) Reappointment Before First Merit Review

All reappointments before the Specialist's first merit review shall be for a minimum of one-year terms. In the event of a change in programmatic need in the lab/hiring unit, lack of work, or lack of appropriate funding, prior to the end of the appointment, the University shall follow Article 11 – Layoff and Reduction in Time.

c. Reappointments After First Merit Review

1) Once the Specialist has undergone their first merit review, if they are reappointed, they will be reappointed for a term equivalent to at least the normative period of review for their rank and step, as described in this article.

2) A Specialist at steps with no normative time must be reviewed at least every five (5) years. Following the review, such a Specialist shall be reappointed for a minimum of three (3) years which may be followed by a subsequent two (2) year appointment to bring the Specialist to the next five (5) year review.

d. Campuses are not prohibited from providing longer-term appointments. A longer-term appointment may be appropriate to sync up the Specialist's term appointment with the merit review cycle.

2. The supervisor shall ensure that the overall effort expected of the Specialist is commensurate with the appointment percentage.

3. When a Specialist simultaneously holds a University teaching appointment or other University position, the sum of all University appointments shall not exceed one-hundred percent (100%).

4. Non-Reappointment

a. Appointments of Less Than 50 Percent Time: The University is not obligated to give written notice of non-reappointment to Specialists

who hold appointments at less than 50 percent time or short-term appointments of less than a year.

- b. Appointments of More Than 50 Percent Time With Fewer Than Eight Consecutive Years of Service: For Specialists who have served fewer than eight consecutive years in the Specialist series on a campus, the appointment terminates automatically on its specified ending date unless notice of reappointment is given. It is within the University's sole discretion not to reappoint a Specialist under this section, so long as the reasons for non-reappointment are not unlawful or in violation of this Agreement.
- c. Appointments of More Than 50 Percent With Eight or More Consecutive Years of Service: The University may decide not to renew a Specialist who has served at least 50 percent time for eight or more consecutive years in the Specialist series on the same campus when the programmatic needs of the lab/hiring unit, lack of work, the availability of appropriate funding for the position, or the Specialist's conduct or performance do not justify renewal of the appointment.
  - 1) In the case of non-reappointment, the University shall provide a written Notice of Intent not to reappoint the Specialist at least sixty (60) days prior to the appointment's specified ending date. Either the appointment shall be extended to provide the required notice, or appropriate pay in lieu of notice shall be given. The University shall provide a simultaneous copy to the Union. The Notice shall state:
    - a) the intended action is not to reappoint the Specialist and the proposed effective date;
    - b) the basis for non-reappointment, including a copy of any materials supporting the decision not to reappoint;
    - c) the Specialist'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; and
    - d) the name of the person to whom the Specialist should respond

- 2) The Specialist who receives a written Notice of Intent shall be entitled to respond, either orally or in writing, within fourteen (14) calendar days of the date of issuance of the written Notice of Intent. The response, if any, shall be reviewed by the administration.
- 3) If the University decides not to reappoint the Specialist who holds a term appointment, following the review of a timely response, if any, from the Specialist, and within thirty (30) calendar days of the date of issuance of the written Notice of Intent, the University shall issue a written Notice of Action to the Specialist and the Union of the non-reappointment and its effective date.

#### **D. MERIT AND PROMOTION REVIEW PROCESS**

##### **1. General Conditions**

- a When Specialists are eligible for merit increases and promotions, such increases and promotions are based on academic attainment, experience, and performance, and are not automatic.
- b Specialists eligible for review shall receive written notification in accordance with local campus procedures and at least six (6) weeks before materials are due. This notification shall include:
  - 1) A list of materials the Specialist is responsible for providing and how they should be submitted;
  - 2) The date by which the Specialist must submit all required materials;
  - 3) Links to the applicable collective bargaining agreement article(s) and campus guidelines and procedures for merits and promotions; and
  - 4) A statement of the date by which the merit increase or promotion in question shall be effective.
- c A Specialist may request an extension of the Section D.1.b.2 review deadlines due to a leave of absence taken under Article 12 - Leaves

of Absence or Article 34 - Work-Incurred Injury or Illness. Such requests shall not be unreasonably denied.

- d. The effective date of merit increases and promotions as a result of the review process will be July 1st of the current review cycle or the date listed in the notice pursuant to D.1.b.4. If an approval decision is made after the effective date, the merit increase or promotion will be retroactive to the effective date listed in the notice pursuant to D.1.b.4.
- e. Consistent with this Agreement, decisions to grant or not grant a merit increase or promotion to individual Specialists are at the sole discretion of the University. In the event a Specialist is not awarded a merit increase or promotion following a review, the University shall include an explanation for its decision that shall accompany the review determination.
- f. The University is not precluded from granting merit increases of greater than a one-step increase.
- g. A Specialist may request to review their academic review file in accordance with the provisions of APM-160 that are applicable to them.
- h. At the University's sole discretion, the University may apply a search exemption for an internal hire/change in series from the Specialist series to Professional Researchers series, Project Scientist series, or Coordinator of Public Programs series, if the appointment is in the same lab/unit or equivalent. At the University's sole discretion, if the University provides a search waiver for a postdoctoral scholar into the Specialist series, and the postdoctoral scholar served five or more years as a postdoctoral scholar at the University of California, the University will not appoint the postdoctoral scholar as a Junior Specialist or Assistant Specialist.

## 2. Review Period

- a. A Specialist with an initial date of appointment between July 1 and January 1 shall be reviewed as follows:
  - 1) Junior Specialists do not undergo merit review.

- 2) Assistant and Associate Specialists shall be reviewed every two years.
  - 3) Full Specialists shall be reviewed every three years, except for Step IX, which shall be reviewed every four years.
- b. The review schedule for a Specialist with an initial date of appointment between January 2 and June 30 will not commence until July 1 of that year. On July 1 of that year, the review schedules in Section D.2.a shall apply.
- c. An off-cycle review is one that takes place earlier than the standard review (as defined above).
- 1) A Specialist may request an off-cycle review (with the exception of campuses with half-steps, such as UC Davis).
  - 2) The reasons for the off-cycle review must be in writing and the proposed accelerated advancement must be submitted for written approval (or denial) to the designated University official, per campus guidelines and procedures.
  - 3) It is the University's sole discretion to determine whether to conduct the off-cycle review.
  - 4) The review file will be prepared in accordance with campus guidelines and procedures.
- d. Specialists may request to defer their review, in accordance with local procedures. A deferred review is the omission of an academic review during a year when a review would normally take place. It is a neutral action that can only be initiated with the written request of the candidate.
- 1) A review may be deferred if prolonged absence or other unusual circumstances have resulted in insufficient evidence to evaluate performance. Reasons for review deferral must be in writing and all proposed deferrals must be submitted for written approval (or denial) to the designated University official. It is the University's sole discretion to determine review deferrals.



- 2) When a deferral takes place, the review is deferred for one year whether a person's review cycle is 2 or 3 years. A request for a deferral for an additional year should be regarded as a new request and thus subject to the same approval process described in D.2.d.1 above. After the completion of a review which has been deferred, the review cycle will resume anew at the 2- or 3-year interval. Work conducted during the extended review period shall be reviewed as though it were completed in the normal period.
- 3) Every Specialist must be reviewed at least every five years.

### 3. Evaluation Criteria

- a A candidate for advancement in the Specialist series is evaluated on such criteria as level of expertise and ability to work independently, professional competence, the complexity of the research responsibilities, the potential for intellectual/scientific contributions to the field, the scope of professional activities, and University and public service.
- b A candidate for merit increase or promotion in this series shall be evaluated on the basis of the following criteria:
  - 1) Performance in Research - Specialists must be continuously and effectively engaged in research activity of scholarly quality and significance in the defined area of expertise and specialization. All Specialists are judged on performance in research. Evidence may include one or more of the following:
    - a) Letters from collaborators or principal investigators documenting that work performed by the Specialist contributed to published research;
    - b) Recognized expertise, including formal documentation of intellectual effort, presentation of research at regional/national meetings, creative contributions to intellectual property (e.g., patents), eligibility to serve as principal investigator, and/or invitations to participate in research projects

- c) Documentation of effective planning and execution of research projects;
  - d) Publications on which the Specialist is an author or that credit the Specialist in the acknowledgement section of the work; and
  - e) Active dissemination of information through training, presentations, or other means stemming from the Specialist's research.
- 2) Professional Competence and Activity - Specialists may engage in professional activities that are directly related to their professional expertise and achievement. The Specialist's professional activities will be evaluated for evidence of achievement and recognition in the Specialist's field of expertise and for contributions to the development or utilization of new approaches and techniques. Evidence of professional competence and activity, which is optional for Junior and Assistant Specialists but required for Associate and Full Specialists, may include:
  - a) Participation in professional societies or groups and other educational and research organizations;
  - b) Service on advisory panels;
  - c) Invitations to review research and/or grant proposals;
  - d) Review of journal manuscripts and other publications related to the Specialist's area of expertise; and
  - e) Additional education and credentials as related to the specialized area of research.
- 3) University and Public Service - Specialists may engage in University and/or public service provided these services comply with the requirements of the candidate's funding source. Such service should be related to the candidate's area of professional expertise and achievement. Service activities may be at the level of the department, the organized research unit (ORU), the college/school/division, the campus, the University, and/or the public. For example, Specialists

may serve as a liaison with and respond to the needs of various industry organizations, state and federal agencies, and other external groups on issues related to their area of expertise. At the Junior and Assistant Specialist ranks, University and/or public service may be minimal.

c. Advancement to Above-Scale

- 1) Advancement to Above-Scale status involves an overall career review and is reserved for only the most highly distinguished Specialists whose:
  - a) work of sustained and continuing excellence has attained national and international recognition and broad acclaim reflective of its significant impact;
  - b) professional achievement is outstanding; and
  - c) service is highly meritorious.
- 2) Advancement requires demonstration of additional merit and distinction beyond the performance on which advancement to Full, Step IX was based. Except in rare and compelling cases, advancement will not occur in less than four years at Step IX; mere length of service and continued performance at Step IX is not justification for further advancement.
- 3) A further merit increase for an individual already serving at Above-Scale salary level must be justified by new evidence of distinguished achievement; continued performance is not an adequate justification. Only in the most superior cases with strong and compelling evidence will a further increase be approved at an interval shorter than four years.

4. Merit and Promotion Guidelines and Procedures

- a. The UAW shall be provided the applicable campus merit and promotion guidelines and procedures as they exist or as they are developed. Links to current campus guidelines and procedures may be found in Appendix B of this agreement.

- b. The University may change campus merit and promotion guidelines and procedures according to the normal campus processes for revising such guidelines and procedures.
  - 1) The University shall provide to the UAW proposed changes to campus merit and promotion guidelines and procedures at least thirty (30) calendar days prior to finalization. The University will begin to apply changed guidelines and procedures to individual Specialists only with the beginning of the Specialists' merit review cycle.