

**Regular Meeting of the University Senate
Manchester Conference Center, Hazard Board Room
March 13, 2008**

Attendance

Arts & Sciences: Pachence, Chair; Branch; Colombo; Ellis; Guerrieri; Lewis; Nadkarni; Otto; Pierson; Sheehan; Sullivan; Tsomo

Business: Barkacs; Gin; Lumori

Education: Ammer

Law: Horton; Kelly

Nursing: Clark

Ex-Officio: Sullivan

Student Representative: Mabry

Guest: Douglas

Pachence opened the meeting at 12:25p.m.

I. Announcements

A. Chair

1. Senate representation for 2008-2009. Elections of senators should take place in April and names of elected senators and alternates should then be forwarded to Peggy Agerton. (Allocation of Senators from the College and schools for next year included with agenda.) The Executive Committee (EC) will review procedures for including representation from the School of Peace Studies, which will have two new faculty starting next fall.

2. First Year /Second Year Experience Committee report, included with the agenda

3. One-Stop Review Committee Report, distributed for consideration at a future Senate meeting. Sheehan, representing the committee, asked that the EC decide how to handle the report, with particular attention to Recommendation 6.

4. Parking Committee Report, distributed at the meeting. Questions about the report should be sent to Pachence.

5. Presentation of Darlene Shiley at April 3 Senate meeting. Having received no suggestions from senators, the EC has prepared the following questions for Darlene Shiley: "What is your vision for USD? How do you see us realizing that vision with particular reference to the university achieving financial stability over the long term? And how do you envision establishing an even closer relationship between USD's Board, students, faculty, and staff?"

B. Provost

The Provost reminded senators of the President's address today on Catholic higher education.

II. Approval of the Minutes of the Meeting of February 28, 2008.

The minutes of February 28, 2008 were approved with the following addition: Attendance: add Barkacs.

III. New Business. Personnel policies (policy packet included with agenda, with summary on back of agenda) were moved to action items by the Executive Committee

A. Policies on:

1. Compensation

2. Working Hours and Work Week
3. Overtime
4. Make Up Time
5. Alternative Workweek Schedules
6. Meal Breaks and Rest Periods
7. Time Records

The Executive Committee moved that policies numbered 1-7 above be considered and voted upon as a single action item.

Pachence explained the review process by university and Senate committees and noted that many of the policy provisions are mandated by federal and state law.

Horton, calling for a point of information on Policy 3.4 Compensation, third paragraph, first sentence (“Faculty salaries are reviewed on an annual basis and are based on merit.”), asked if the sentence were currently accurate for all units of the university.

Several senators offered examples of situations where, in practice, annual salary increases were not based entirely on merit and did not strictly follow the criteria “found in the university’s applicable rank and tenure polices” as the second sentence of Policy 3.4, paragraph 3 asserts.

Motion by Horton/D. Sullivan to: DIVIDE SECTION 3.4 COMPENSATION (MOTION 1) FROM MOTIONS 2-7 AND TO PUT COMPENSATION AT THE END OF THE DISCUSSION AFTER TAKING UP THE OTHER MOTIONS.

Douglas explained that the oversight committee had carried over language from the existing policy because the issue was larger than the committee’s immediate charge and she suggested that language regarding faculty salaries could be refined later.

Vote to divide: 14 – Approve; 0 – Oppose; 3 – Abstain. The motion passed.

In regard to the other items (2-7), it was noted that, in working with hourly staff, faculty need to be aware of policies relating to California laws for breaks, lunch breaks, and overtime.

Vote on policies 2-7: 17 – Approve; 0 – Oppose; 0 – Abstain. The policies passed.

Returning to Compensation Policy 3.4, Pachence opened the floor for discussion, which then focused on the following areas of concern:

- The statement that faculty salaries “are based on merit” is not accurate, since salaries are sometimes revised on the basis of equity.
- There is no provision for cost-of-living increases. (The Provost explained that cost-of-living calculations are taken into account when the Board determines the overall annual salary-increase pool.)
- It is not advisable to include language allowing deans to award salary increases to faculty without reference to their performance relative to other faculty.

A senator recommended that the policy be passed at this time and that the Senate Status Committee be asked to draft more accurate language for review by the Senate at a later date.

Motion to amend by Kelly/Lewis to: INSERT THE WORD “INCREASES” BETWEEN THE WORDS “AND” AND “ARE” IN THE FIRST SENTENCE OF THE THIRD PARAGRAPH TO

READ [underline denotes addition]: Faculty salaries are reviewed on an annual basis and increases are based on merit.

Senators noted that the addition of the word “increases” makes the policy statement accurate and that there can be discussion at a later date on the various criteria by which salary increases are determined.

Barkacs called the question.

Vote: 17 – Approve; 0 – Oppose; 0 – Abstain. The amendment passed.

Senators suggested that the difference between merit and equity increases should be reflected in the policy by adding the words “and equity” at the end of the sentence. J. Sullivan noted that merit and equity are not totally independent.

Motion to amend by Horton/Sheehan to: ADD AT THE END OF FIRST SENTENCE OF THIRD PARAGRAPH “AND EQUITY.” TO READ [underline denotes addition]: Faculty salaries are reviewed on an annual basis and increases are based on merit and equity.

Douglas commented that “equity” can have different interpretations and she recommended more specificity. One senator responded that, although “merit” can also be subject to different interpretations, both terms are defined in-house.

J. Sullivan voiced concern with adding “and equity” because it could suggest that increases can be based on equity alone with no relationship to merit, which could expose USD to challenges and potential lawsuits.

Vote: 0- Approve; 12 – Oppose; 5 – Abstain. The motion failed.

Motion to amend by Gin/Branch to: CHANGE THE WORD “ARE” TO “INCLUDE” IN THE SECOND SENTENCE TO READ [underline denotes addition, strikeout denotes deletion]: The criteria for evaluation of faculty ~~are~~ include those found in the university’s applicable rank and tenure policies.

After brief discussion, Pierson called the question.

Vote: 0 – Approve; 15 – Oppose; 2 – Abstain. The motion failed.

Motion to amend by Horton/Sheehan to: REPLACE THE WORD “FACULTY” WITH THE WORD “INCREASES” IN THE SECOND SENTENCE TO READ [underline denotes addition, strikeout denotes deletion]: The criteria for evaluation of ~~faculty~~ increases are those found in the university’s applicable rank and tenure policies.

Senators noted that rank and tenure policies contain criteria for the evaluation of faculty performance and not criteria for merit increases.

Vote: 2 – Approve; 8 – Oppose; 7 – Abstain. The motion failed.

Vote on main motion as amended: 14 – Approve; 3 – Oppose; 0 – Abstain. The main motion as amended passed.

Pachence noted that the issue of faculty compensation will be revisited, in particular with respect to how salaries are determined and what criteria are considered in awarding increases.

Motion by Ellis/Sheehan to: REFER THE COMPENSATION POLICY TO THE EXECUTIVE COMMITTEE TO DETERMINE THE APPROPRIATE REFERRAL FOR FURTHER DISCUSSION.

Motion to amend by Horton/Sheehan to: ADD AFTER THE WORD “REFERRAL” THE FOLLOWING PHRASE “, AT THIS TIME OR BY THE END OF THE SPRING 2008 SEMESTER, ”.

Kelly moved to extend the meeting to 1:55 p.m.

Vote: 10 – Approve; 4 – Oppose; 3 – Abstain. The motion passed.

Vote on amendment: 9 – Approve; 5 – Oppose; 3 – Abstain. The motion passed.

Senators noted that the motion raises the issues of a) whether criteria should be solely the rank and tenure criteria or whether there should be cost-of-living, equity and other considerations, and b) whether it would be advisable to have salary steps associated with promotion. The charge to the committee would be to determine what has been the practice and to define those criteria that need clarification, not to interfere with deans’ legitimate exercises of discretion.

Horton called the question.

Vote: 9 – Approve; 2 – Oppose; 4 – Abstain. The motion passed.

The meeting adjourned at 1:52 p.m.

Submitted by,

Eren Branch
Secretary

Peggy Agerton
Recording Secretary

3.4 Compensation

The University of San Diego strives to provide competitive compensation for its faculty, administrators and staff. The university's compensation programs are designed to advance the mission, strategic plan and business objectives of the university; to allow the university to attract and retain well-qualified employees; to reward employees for performance; and to promote fairness and consistency in pay practices.

The university maintains pay grades for administrators and staff and reviews those pay grades on an annual basis. Administrator salaries are reviewed on an annual basis, are based on performance, and are approved by the appropriate vice president. Staff pay rates are reviewed on an annual basis. Positions are classified or reclassified on the basis of duties and responsibilities. For more information regarding the compensation programs that apply to administrators and staff, please contact Human Resources.

Faculty salaries are reviewed on an annual basis and increases are based on merit. The criteria for evaluation of faculty are those found in the university's applicable rank and tenure policies.

Pay increases are not automatic. The university reserves the right to change its compensation programs at any time for legitimate business reasons, or to change individual pay rates through appropriate processes when there is cause to do so.