

# Guide for Academics at SUNY





## Welcome from the President

Brothers and Sisters,

On behalf of United University Professions, I'm pleased to present to you this *Guide For Academics at the State University of New York*. This is just one of our efforts to help you take advantage of all the rights and benefits you have as a SUNY employee and UUP member.

I hope you find this helpful throughout your career in SUNY.

In solidarity,

William E. Scheuerman  
UUP President

## Welcome from the Vice President for Academics

This updated guide is presented as an easy reference for many questions that arise during the course of an academic career. The purpose behind this booklet is to provide a handy source of information concerning the many rules, regulations and policies that apply to your job. It is neither encyclopedic nor even complete — there are far more comprehensive sources listed for in-depth coverage.

You'll find the Table of Contents an easy way to navigate to specific questions. These are the questions that seem to come up most often during a semester. The guide was put together with the help of Chapter Vice Presidents for Academics and I would like to thank them for all of their hard work.

While we have tried to make this guide as complete as possible in an easy-to-carry size, not every question can be addressed. It is always a good idea to contact your chapter officers and labor relations specialist when you have an important question, even when it is addressed in this guide.

If you have any questions or suggestions, please feel free to contact me at 1-800-342-4206. I hope that you find this guide useful.

Collegially yours,

Frederick G. Floss  
Vice President for Academics





### **What is an academic?**

As defined by the policies of the SUNY Board of Trustees, an academic is “an employee in the PSNU (Professional Services Negotiating Unit — UUP) with academic or qualified academic rank.” The Trustees’ policies define Academic Rank as “the rank held by those members of the professional staff having the titles of professor, associate professor, assistant professor, instructor, and assistant instructor, including geographic full-time faculty members having such titles, and rank held by members of the professional staff having the titles of librarian, associate librarian, senior assistant librarian, and assistant librarian. A geographic full-time faculty member is a person serving on the faculty of a medical center who is not employed on a full-time basis for the purpose of fixing compensation payable by the state but all of whose professional services and activities are conducted at the medical center or its affiliated hospitals and are available to the state on a full-time basis for clinical and instructional purposes.” The policies further define Qualified Academic Rank as “the rank held by those members of the academic staff having titles of lecturer, or titles of academic rank preceded by the designations ‘clinical’ or ‘visiting’ or other similar designations.”

### **What is a professional?**

A “professional” is anyone employed in a position in our negotiating unit other than a position of academic or qualified academic rank.

There are more than 300 approved state payroll titles and dozens of local titles assigned to professional positions in UUP. Some examples are: financial aid advisor; academic advisement assistant; residence hall director; senior staff associate; and admissions advisors. At the SUNY teaching hospitals, “TH” precedes

titles, for example, TH-respiratory technologist or TH-nurse practitioner.

### **Why do academics need a union?**

The union allows us, the academic and professional faculty at SUNY, to work together through UUP to better our lives and improve working conditions at SUNY. Through collective action we are better able to protect academic freedom and tenure. The major goal of the union, of course, is to negotiate increases in wages and benefits. Unions also enforce the terms of the contract and can represent you during grievance and disciplinary procedures to ensure that your rights are protected.

### **How is UUP different from the Faculty Senate?**

The Faculty Senate was created by SUNY to give faculty a formal method of consulting on faculty governance issues. As such, it makes recommendations to the SUNY Board of Trustees on issues such as curriculum. UUP was created and is funded by its members. It is a separate legal entity apart from SUNY with independent legal standing. More importantly, UUP has legal standing to enforce the contract on behalf of its members.

UUP and our colleagues on the Faculty Senate work closely to address issues that are important to our members.

### **What exactly is a Collective Bargaining Agreement, and where do I find it?**

The Collective Bargaining Agreement (CBA), referred to as the contract, is a set of articles that spell out the terms and conditions of employment for members of the UUP bargaining unit. The CBA includes the schedule for raises and benefits that you will receive; it also includes the grievance and leave procedures, in addition to many other topics. The appendices to the CBA help clarify issues about your terms and condi-





tions of employment.

Copies of the CBA can be obtained at your UUP chapter office or online at <http://www.uupinfo.org/contract.html>

### **What benefits do I receive as a member of UUP?**

Members receive medical insurance; Family Leave; Life Works; and a Flex Spending Account. The Flex Spending Account is a negotiated program that helps SUNY employees save money on their taxes. The program offers two benefits — the Health Care Spending Account (HCSAccount) and the Dependent Care Advantage Account (DCAAccount) — that give you a way to pay for either your health care or dependent care expenses with pre-tax dollars.

The collective bargaining agreement between UUP and New York state also includes a scholarship program and dental and vision care. These benefits are funded by the state and are administered by the UUP Benefit Trust Fund (Fund). In addition, the fund administers a life insurance program at no cost to the member. For more detailed questions about your benefits, call the benefits office at UUP at 1-800-342-4206, or go to the UUP Web site at <http://www.uupinfo.org/benefits.html>.

UUP also is proud of the work it does addressing academic and cultural issues that affect members' lives but are not specific to the University. UUP and its affiliates regularly sponsor conferences on topics such as academic freedom, health care and related services issues, disability rights and the corporatization of higher education.

### **What pension benefits will I receive?**

If you are full-time faculty, you will be given the choice of which pension system you and the state will contribute to when you start your employment. You

have the option of joining one of three plans: the Employees' Retirement System (ERS); the Teachers' Retirement System (TRS) or the Optional Retirement Plan (ORP). The first two plans are defined *benefit* plans, while the last is a defined *contribution* plan.

Both ERS and TRS use a formula based on the number of years of service and your final average salary to calculate your yearly retirement payments, which are paid out through your (or your spouse's) lifetime.

If you choose the ORP, you — along with the state — will make contributions into your plan during the course of your employment, which you will be able to draw on when you retire. You will have the right to choose the funds to which the contributions will be made. This decision requires careful consideration. There is no right option for all individuals, and the right choices may change over time depending on your family's circumstances. It is important to talk with your financial advisor before you decide.

Adjunct faculty members are also eligible for the pension system, but they have the ability to opt out of the system if they wish, which is not true for full-time faculty. In many cases adjunct faculty choose the ORP, as the vesting period for ERS and TRS is five full years.

Further, all employees have the right to participate in supplemental retirement accounts where you may put pre-tax dollars into a 403(b) and a 457 fund, so that you can reduce your current tax liabilities and increase your future retirement income.

### **What exactly are the SUNY policies of the Board of Trustees, and where do I find them?**

The "policies" govern the general operations of the University and each campus, including faculty appointments; evaluations and promotions; faculty governance; and many other aspects of University life. It is important that you review them at various stages of your academic career. Copies of the policies may be obtained from your department chair, dean or campus





president. They're also available online at [http://www.suny.edu/Board\\_of\\_Trustees/PDF/Policies.pdf](http://www.suny.edu/Board_of_Trustees/PDF/Policies.pdf)

### **What are the appointment types available to me as an academic?**

The Trustees' policies cover various appointment types under Article XI. Most new full-time academic employees are given a Term Appointment for one, two or three years. Such appointments expire at the end of their term unless renewed. Term appointments may be renewed by the chief administrative officer of a campus (usually the president), with notice to the chancellor, for a period of not more than three years.

New part-time academic employees are usually given a Temporary Appointment, as such appointments are consistent with a job that is expected to be one year or less, or fills a temporary vacancy. (A temporary appointment may be terminated at any time.) After six consecutive semesters of part-time service, an employee is entitled to a term appointment.

Nearly all academic employees aspire to attain what is generally called "tenure," which at SUNY is termed "Continuing Appointment." This most important appointment type has several unique provisions, so it's important to read about this directly in the policies. Nonetheless, here are a few highlights: For those academics who have started their careers at SUNY, continued employment beyond seven years must be via a Continuing Appointment. That means, academics with a term appointment must attain a positive review by their department and/or campus "promotions and tenure" committee, be recommended by their campus president and approved by the chancellor for Continuing Appointment prior to the end of their sixth consecutive year of employment. At that time, an assistant

professor often would be promoted to associate professor.

For more senior academics, SUNY's policies provide for Continuing Appointment upon initially joining the faculty. But for those given a term appointment, no associate professor, professor, associate librarian or librarian may continue beyond the third consecutive year of service without attaining Continuing Appointment.

Concerning Continuing Appointments, it's important to keep three things firmly in mind: 1) You should read the policies language on this topic in its entirety; 2) you should consult with your department chair or a senior colleague about the process of attaining Continuing Appointment on your campus; and 3) Continuing Appointment must be granted by the chancellor, i.e. it cannot be granted automatically.

As written in the policies: "Appointment as distinguished professor, distinguished service professor, distinguished teaching professor, distinguished librarian or university professor may be given by action of the Board of Trustees on recommendation of the chancellor and shall be a Continuing Appointment."

### **What type of job security does each type of appointment give me?**

A Temporary Appointment does not give much job security, as you can be terminated at any time without notice.

A Term Appointment can be renewed before it expires for terms of not more than three years, and has different notice requirements if it is not being renewed, depending on how long you have been employed at the college and whether you are employed full time or part time.

If you are a part-time employee with a Term Appointment, you must receive a notice of non-renewal 45 calendar days before your appointment expiration date.

If you are a full-time employee with a Term





Appointment and receive a notice of non-renewal, you must be notified in writing three months prior to the end of your first year of uninterrupted service; six months prior to the end of a term expiring after the completion of your first year, but not longer than two years of uninterrupted service; and 12 months prior to the expiration of a term, after two or more years of uninterrupted service.

Academic employees who are granted Continuing Appointment cannot be non-renewed. This is similar to permanent appointment for professional employees, and is sometimes referred to as tenure.

Temporary Appointments are given for specific reasons as outlined in the policies. If you don't believe you fit into one of those categories, it is important for you to contact your union office. We can find out why you were appointed as temporary and, in some cases, have it changed to a term appointment.

### **What do I do if I get a notice of non-renewal?**

If you have a term appointment and receive a notice of non-renewal, contact your chapter office to make sure that your contractual rights have not been violated and that you have been given appropriate notice.

A temporary appointment gives you little recourse because it may be terminated at any time. Check all of your documents. It is very easy when signing many documents and forms to overlook "Temporary" Appointment when it should say "Term" Appointment.

### **Naturally, I'm interested in career growth at SUNY. What steps should I take?**

As the old saying goes, "It's never too early to start!" You should begin right away to assemble a file of mate-

rials for use in supporting a positive tenure decision.

First, make a copy of your appointment letter. Make sure it outlines your appointment type and all other necessary information. Next, get a copy of SUNY's policies and the current collective bargaining agreement (UUP contract). The next thing to add to your growing file is a copy of your department and/or campus policy on promotion and tenure. Your department chair and/or dean's office should be able to supply this.

It's important to emphasize there are no uniform standards or procedures across SUNY for attaining continuing appointment (or tenure). Each campus, and sometimes each department, has its own policies and procedures, so it's vital that you familiarize yourself with these local criteria. The SUNY policies, however, do provide a rough guideline for the criteria: mastery of subject matter; effectiveness in teaching; scholarly ability; effectiveness of university service; and continuing growth. Hence your "tenure file" should receive regular updates of materials, such as teaching evaluations, committee appointments and other public service work, publications lists, and anything you think might be valuable down the road. It bears repeating: Find out what's expected at your campus and in your department.

You should also look at your personnel file, which is normally found at your campus human resources office, to see what information has been placed in your file and will be used by the administration in reviewing your case.

### **In addition to collecting paper, what else should I do?**

There's much to be said about the positive aspects of what's often called "networking." Make sure that you interact with your departmental, as well as campus, colleagues. Develop the habit of talking about your research or other work. A great way to begin this con-





versation is to first ask someone else about their scholarly activity. One of the most beneficial ways a new faculty member can enter the collegial realm is to seek out a mentor. A more experienced faculty colleague can be a great source of help in learning about local campus policies, not to mention the benefit of having someone to help review papers and grants, guide other scholarly endeavors, and just be a friend. No doubt, you'll find that the most successful senior faculty members at your campus are those who've benefited from working with a mentor. And, most likely, they'll be eager to act as your mentor as a form of payback for past kindnesses from their own mentor.

In the academic world, much has been said about how the tenure decision hinges on collegiality. As one very wise academic pundit once said, "Collegiality is to academics as congeniality is to beauty contestants." It's certainly hard to measure, but we're always pleased to see it.

There's also a wealth of information on the quest for tenure at Web sites maintained by the *Chronicle of Higher Education* ([www.chronicle.com](http://www.chronicle.com)) and the American Association of University Professors ([www.aaup.org](http://www.aaup.org)).

### **Are there special issues I need to know if I am an adjunct faculty member?**

Adjunct faculty members receive most of the benefits of full-time faculty, including health insurance benefits when certain minimum requirements are reached. Under the latest contract, campuses must hold separate part-time labor/management meetings to discuss issues of interest to adjunct faculty, and 15 percent of professional development monies must be available to part-time faculty.

There are a large number of other benefits for adjunct faculty that are described at [http:// www.uupinfo.org/ptfact-sheet.pdf](http://www.uupinfo.org/ptfact-sheet.pdf)

### **I'm concerned about protection of intellectual property. What does SUNY or UUP say about this?**

Intellectual works that involve inventions, patents and copyrights are subject to both federal laws and the SUNY policies. If you are engaged in this type of work — and most academics are — you should consult the policies in any project. Also worth review and consultation are the Web sites maintained by the U.S. Patent Office (<http://www.uspto.gov/>) and the Library of Congress site on copyright (<http://www.loc.gov/copyright/>).

Patents on inventions produced at SUNY, under most circumstances, are held by the University. There are some exceptions. See Policies Article XI, Title J, "Patents, inventions and copyright policy."

Generally, written work and other intellectual endeavors subject to copyright fall under the ownership of the individuals who create them. The major exceptions are cited in the policies "in cases where persons are employed or directed within the scope of their employment to produce specific work subject to copyright the university shall have the right to publish such work without copyright or to copyright it in its own name." This means that someone hired specifically to produce a particular work, or who agrees to undertake a directed project, will not retain copyright to the work produced.

On the other hand, a professor who writes a book, creates a musical score or choreographs a dance routine — or any other work that's "copyrightable" — will retain the right to own that intellectual property.

Yes, this sometimes becomes confusing, largely due to the fact that most other universities (and certainly private corporations) have policies that grant copyright ownership to the organization, not the individual who produces a given work. Fortunately for us, SUNY has seen the wisdom of allowing the creator of an intellectual work to hold the copyright.





The home page of UUP's Web site has a link to a document titled, "Questions & Answers — Intellectual Property, Software and Distance Learning: SUNY Policy and UUP Recommendations." This informative paper may answer many of the questions you'd likely have on this topic. If more information is needed, please feel free to contact us.

While we're on the topic of copyright, it's worth mentioning that current laws allow one to hold ownership without actually filing any federal documents. The law now states that when a work is fixed in a tangible form — such as saving a document in a computer file, making a sound recording, etc. — copyright immediately accrues to the author. If that work is subsequently printed, it's a good idea (but not absolutely necessary) to include the copyright symbol © (the "c" in a circle, or the word "Copyright" or "Copr"), the date and author's name. Example: © 2002 John Doe.

Under these circumstances, an author holds copyright but cannot sue for monetary damages. To recover monetary damages, one still needs to register the copyright with the federal government. The Library of Congress Web site ([www.loc.gov/copyright/](http://www.loc.gov/copyright/)) has a wealth of information on all aspects of what is and is not available for copyright and how exactly to secure and register such protection.

### **What can UUP do to help support my scholarly activity?**

Through the collective bargaining agreement with New York state, UUP regularly negotiates joint labor/management funds that support a variety of faculty-related initiatives, such as the Professional Development Awards and the Nuala McGann Drescher Affirmative Action/ Diversity Leaves. The Professional Development Awards support individual activities (up to \$1,000) and the Campus Development Awards are

aimed at supporting multiple faculty (at a much higher funding level). The Drescher Awards program is aimed at helping minorities, women, persons with disabilities, and Vietnam-era veterans who are full-time employees undertake studies (or other activities) that will help them attain continuing appointment. There are also other categories of awards that can be used to support research or other scholarly activities. Information about these awards is readily available from your UUP chapter office at your campus, by calling the UUP Administrative Office or visiting the UUP Web site at <http://www.uupinfo.org>.

### **What is meant by my professional obligation?**

For academics, a professional obligation includes teaching, librarianship, research and University service. Academic appointments fall into three general categories: calendar year (full year, i.e., 12 months); academic year (not to exceed 10 months); or college year (for service less than the full year). Many academic faculty are obligated as academic-year employees — which means the work begins at registration in the fall and ends at graduation in the spring. Academic-year faculty do not earn vacation leave and are not obligated for service when the institution is not in session. Calendar-year and college-year employees do earn vacation leave at a rate determined by their years of service (see the contract for details).

### **What activities do I have to perform over the summer as an academic — must I teach summer school?**

Academic faculty members on an academic-year appointment have no teaching responsibilities during the summer months. If you would like to teach summer school you will need to sign a summer school contract that spells out the terms of your extra service to your institution. Summer school salaries vary among campuses and may also depend on your rank. Summer classes may have targets and can be canceled for lack





of students without you receiving a salary, even if you have prepared for the class. Many seasoned faculty make sure that the target number of students is met before they put in a serious amount of preparation for a summer school class. Faculty who are on a calendar-year appointment may be required to teach in the summer without any additional compensation if it is part of their normal duties.

#### **What is the professional work load obligation as an academic?**

There are no uniform university-wide standards on the number of courses one is expected to teach. Indeed, this often varies on a given campus among the various departments. Overall, however, “workload” follows past practice, meaning that faculty of a given department (or division) have agreed to teach “X” number of courses per semester, devote “Y” amount of time to scholarship, and to serve on “Z” committees throughout the year. If you are a new faculty member, it’s wise to consult with a more senior colleague about what is expected and what is the norm.

Librarians in general are held to the same standards as other academics except that their duties may include additional obligations, such as collection development and reference desk duties. Again, these duties will vary from campus to campus.

Please feel free to contact your local UUP chapter to inquire about answers to workload questions.

Should you be asked to teach additional courses or perform duties beyond the “normal workload,” it is appropriate for you to be paid for such “extra service.” Each campus (or department) has a standard rate for this.

It should be emphasized that one should *not* undertake extra duties without some form of compensation. This could be “extra service” pay, or reduction of some other part of one’s professional obligation. Remember the old saying, “No good deed goes unpunished!” If you do take on extra duties, you may find that you’re expected to continue them — worse yet, you may be establishing a practice that will affect many of your colleagues in the future.

