

AFT PROFESSIONAL STAFF RETENTION POLICY AND PROCEDURE

This Policy and Procedure shall apply to full-time non-teaching professional staff who have never received multi-year contracts, or are eligible for a multi-year contract renewal, and part-time professional staff with more than three (3) years service who are (a) employed in regular, recurrent positions, (b) work at least half-time, and (c) employed on either a one-year contract or on at least a second half-year contract occurring during any two (2) consecutive academic years.

I. Eligibility for Multi-Year Contracts

Each member of the professional staff not holding faculty rank or concurrent academic rank who is a member of the State College/University bargaining unit shall be eligible for a multi-year appointment or reappointment contract in accordance with the provisions of Chapter 163 of the Laws of 1973. After completion of five years of probationary service, employees not holding faculty rank shall be considered for a multi-year contract. All multi-year contracts granted effective July 1, 2017 or thereafter shall be for three (3) years, unless the employee is on a four-year or five-year contract as of June 30, 2017.

For employees who are currently serving in a four-year contract as of June 30, 2017 their next two succeeding contracts, if granted, shall be for four (4) years. Subsequently, all contracts granted shall be for three (3) years.

For employees who are serving in a five-year contract as of June 30, 2017 their next two succeeding contracts, if granted, shall be for five (5) years. The contract after that shall be for four (4) years. Subsequently, all contracts granted shall be for three (3) years.

When a member of the professional staff is offered a multi-year appointment or reappointment contract, he or she shall be provided with the information described in Article XIII.B of the Agreement.

The fiscal year is from July 1 to June 30. Contracts for professional staff members shall be concurrent with the fiscal year. In order for the initial term of employment to qualify as a full fiscal year for purposes of the multi-year contract probationary period, employment under the contract must begin no later than December 31.

II. Criteria for Reappointment

A. The reappointment of professional staff shall be based on:

1. Professional performance of the professional staff
2. Institutional and programmatic needs

B. Professional performance shall include:

1. Attainment of agreed upon objectives.

Job responsibilities as described in job description which includes other job related criteria as shared with the employee in a written job description at the time he or she is first offered employment. Thereafter, the other job related criteria shall be developed with his or her supervisor prior to the next performance cycle.

2. Knowledge of professional assignment area
3. Thorough preparation for assuming responsibilities

4. Effective communication
5. Respect and consideration for co-workers and clientele
6. Service and/or other activities which contribute to the purposes and functions of the University and the community which it serves

C. Institutional and Programmatic Needs

The reappointment of the professional staff must be consistent with the needs and purposes of the University as stipulated in the long-range institutional goals.

III. Process

A. Role of Board of Trustees and President

Reappointments shall be made by the Board of Trustees upon the recommendations of the President. It is the purpose of these processes to provide the Board and the President with pertinent data on the basis of which to make such determinations.

B. Retention Policy and Collective Bargaining Agreement

The evaluation of professional staff shall be conducted in accordance with the provisions of this policy statement and the relevant provisions of the Collective Bargaining Agreement between the Council of New Jersey State College Locals, NJSFT-AFT/AFL-CIO and the State of New Jersey.

C. Timetable

By October 1 of each year, the President of the University, in consultation with the Local Union, shall establish and publish the schedule of times for the initiation/completion of the basic steps in the review and evaluation of professional staff eligible for multi-year appointment or reappointment contracts. Such schedule shall not violate any provision of the Agreement.

Each candidate for reappointment shall be provided with a timetable indicating the dates of the steps in the retention procedure. The timetable shall provide a reasonable opportunity for the candidate to present a written statement and/or materials for inclusion in the retention folder, prior to the beginning of the evaluation by the immediate supervisor.

D. Evaluation Forms

The AFT Professional Staff Performance Appraisal Form, agreed to by the Union and Administration in February 2019, is available on-line through the University's website and should be used for all professional staff appraisals. The form must be printed out and the hard copy signed by all parties involved. The only official form to be submitted is the signed hard copy. The forms are not to be submitted online.

E. Evaluation by Supervisors

1. Definition of Immediate Supervisor

For the purposes of evaluating professional staff, the immediate supervisor shall be construed as that employee, including Department Chairpersons, who is first reached in the normal chain of command leading from the candidate pursuant to functional working relationships.

2. Scope of Review

Owing to the nature of professional staff employment, it must be understood that the regular and continuous employment relationship between the employee and his/her immediate supervisor provides a climate for the sustained observation and assessment of the professional staff. A principal purpose of the annual process is to formalize, and share with the candidate for reappointment, conclusions which have been drawn during the regular working relationship.

The entire professional performance record of a member of the professional staff shall be considered at the time such employee is being considered for a multi-year appointment or reappointment contract. The candidate may include any additional material which he/ she deems appropriate. All items presented by the candidate for appointment or reappointment to a multi-year contract shall be considered in the evaluation process.

3. Additional Evaluations

Each member of the professional staff who is eligible for a multi-year appointment or reappointment contract may be evaluated by employees, who may be in or out of the bargaining unit, who serve in a regular and continuing functional working relationship to the candidate. Employees serving in a functional working relationship shall be those identified by the immediate supervisor of the candidate, after consultation with the candidate. The candidate's immediate supervisor shall request such identified employees to provide a written appraisal of the candidate's ability, performance, contributions, and potential. Where the candidate and the immediate supervisor, after consultation, disagree as to which employees serve in a functional working relationship to the candidate, the immediate supervisor and the candidate each will identify employees, if any, who serve in a functional relationship and the immediate supervisor will request written appraisals from all employees so identified.

All evaluations of the candidate prepared by him or herself and by employees serving in functional working relationships shall be submitted to the candidate's immediate supervisor, who shall see that the evaluation material is placed in the candidate's personnel file in accordance with the provisions of Article XXIX of the Agreement. The candidate's personnel file shall be available to the supervisor and other administrative officers for use in making their recommendations.

4. Interviews/Completion of Parts I-V of Performance Appraisal Form

- a. The supervisor will call an initial meeting to review Part 1A (the online job description/responsibilities), a draft of the employee's Parts 1 B and C , and to arrange a second meeting.
- b. Consistent with the calendar, the supervisor will provide a draft of Parts I B and C, and Parts II A and B.
- c. During the second meeting, in addition to reviewing Parts I & II, the supervisor and employee will finalize performance objectives for upcoming evaluation period .
- d. Following the second meeting, the supervisor will complete the Goals and Objectives for upcoming appraisal period and complete the ratings (Part III).
- e. If overall performance is a concern or if there are areas in need of improvement after coaching a Performance Improvement Plan (PIP) should be implemented. (Participation in the EAP coaching program is highly recommended to ensure successful completion of the PIP). If employee is not successful on a PIP, then the employee can be disciplined up to and including termination in accordance with N.J.S.A. 18A:60-14, N.J.S.A.18A: 6-18, and the Agreement between the State of NJ and the AFT, Article K If employee is

entering the final year of a multi-year contract, a PIP may be recommended pursuant to Appendix I.B. of the AFT contract.

F. Opportunity to Examine and Respond to Materials

The candidate will have the opportunity to review and respond to the evaluator's signed/dated Performance Appraisal Form and all materials in the retention folder. He or she shall be given reasonable time to complete this review/response and Part V of the evaluation. The retention folder will be returned to the immediate supervisor by the candidate.

G. Transmission to Higher Administrators

The evaluation will be transmitted by the immediate supervisor to the next higher level of administrators, who, in turn, will transmit them to the next higher level. This procedure will be continued until the folders are forwarded to the Division Vice President and/or President

H. Reappointment Recommendations

Reappointment recommendations shall be based on the employee's entire employment record and last performance evaluation on file. Recommendations shall be based in accordance with parameters described in Section II.

Reappointment recommendations shall be made by February 15 for employees in their first, second, part-time, and multi-year reappointment timelines; and October 15 for employees on their third, fourth and fifth year contracts.

If at any level a non-reappointment or a reappointment with reservations/conditions is noted, the folder must be resubmitted to the candidate for review and response. Each higher-level administrator shall have an opportunity to review the folder and add his or her recommendation as appropriate. The Office of Human Resources will provide all recommendations to the President.

I. Review Procedure

1 . A candidate who has received a negative recommendation from a supervisor may request an interview with the next higher-level supervisor to address the record. The candidate shall have the option to invite other persons from the collective bargaining unit to attend the meeting. If this option is to be exercised, the candidate shall notify the supervisor of this intention. Upon the exercise of this option, the supervisor shall also have the right to bring others of his or her choice to the meeting. The last date for requesting such a meeting shall be announced to the candidates and published in the timetable at the commencement of the academic year.

2. A candidate who has been notified by the President of his or her intention not to recommend reappointment may request an interview with the President. If a candidate requests such an interview with the President, he or she shall have the option to invite other persons from the collective bargaining unit to attend the meeting. If the option to invite others to the meeting is exercised by the candidate, he or she shall so notify the President of this intention. Upon the exercise of such an option by the candidate, the President shall also have the right to include others of his or her choice in the meeting. The purpose of said interview shall be to afford the candidate a personal opportunity to comment on the record and/or to supply additional information prior to the President formulating his or her final recommendation to the Board of Trustees. The last date for

requesting such an interview shall be announced to the candidates and published in the timetable at the commencement of the academic year.

3, Any professional staff candidate for reappointment may submit to the Board of Trustees, in writing, new evidence or information or argumentation of inadequate consideration. The deadline for providing this information shall be announced and published in the timetable at the commencement of the academic year.

J. Grievances

Grievances involving alleged violations of this policy and procedure must be filed within forty five (45) days from the date upon which such claimed violation took place or forty five (45) days from the date on which the candidate should have reasonably known of its occurrence.

K. Professional Staff Reclassification

If, as a result of the review of criteria with the immediate supervisor, an employee believes that a substantial change in job responsibilities has occurred, he or she may apply to the first level non-unit supervisor for a position reclassification review.

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