



Tentative Agreement. Date: 11/18/2022, for UAW:

## ARTICLE 22 PROJECT SCIENTIST SERIES



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### A. GENERAL PROVISIONS

#### 1. Definition

Appointees in this series must have earned a doctorate or its equivalent. The Chancellor, or their designee, may grant an exception to this requirement. Titles in the Project Scientist series are assigned to those appointees who make significant and creative contributions to a research or creative project in any academic discipline. Appointees in this series may be ongoing members of a research team or may be employed for a limited period of time to contribute high-level skills to a specific research or creative program. Appointees in this series are not required to carry out independent research or to develop an independent research reputation, nor do they have teaching responsibilities. Demonstrated capacity for fully independent research or research leadership as required in the Professional Researcher series are not required in this series. However, a broad range of knowledge and competency and a higher level of independence than appointees in the Specialist series are expected.

#### 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 Project Scientists' 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 Project Scientist 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 Project Scientist series:

- 1) Assistant Project Scientist I-VI
  - 2) Associate Project Scientist I-V
  - 3) Project Scientist I-IX (for purposes of this Article, referred to as “Full”)
- b. At the Davis campus, each step has a corresponding half-step (e.g., Associate Project Scientist Step I, I.5, II, II.5, etc.). 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.

2. Normative Time at Each Step

- a. The normal time at each step within the Assistant and Associate rank is 2 years, with these exceptions: Time at the steps of Associate Project Scientist IV and V is 3 years. Within the Full Project Scientist rank, normal time at Steps I-IV is 3 years. Time at Full Project Scientist Step V and above may be for an indefinite time.
- b. 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.

3. Overlapping Steps

- a. Assistant Step V and Associate Step I are overlapping steps. Assistant Step VI and Associate Step II are overlapping steps. Associate Step IV and Full Step I are overlapping steps. Associate Step V and Full Step II are overlapping steps. Time at the lower ranked step in a pair of overlapping steps may be in lieu of time at the higher ranked step in the same pair.
- b. When time at an Assistant ranked step in a pair of overlapping steps is followed by time at the Associate ranked step in the same pair, the combined time at both steps may be two years. When time at an Associate ranked step in a pair of overlapping steps is followed by time at the Full ranked Step in the same pair, the combined time at both steps may be three years.
- c. Locations may, in accordance with local campus practices, limit the use of Assistant rank, Steps V and VI and Associate rank, Steps IV and V.

**C. TERM OF APPOINTMENT**

1. Appointment Length

- a. An appointment in the Project Scientist 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.

2. Initial Appointments

a. **First Appointment**

~~All of the appointments leading up to~~ The Project Scientist's first merit review **appointment** shall be for a minimum of one-year terms, 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.

b. **Reappointments Before First Merit Review**

**All reappointments before the Project Scientist'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 Project Scientist 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 Project Scientist at steps with no normative time must be reviewed at least every five (5) years. Following the review, such a Project Scientist shall be reappointed for a minimum of three (3) years which may be followed by a subsequent two (2) year appointment to bring the Project Scientist 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 Project Scientist's term appointment with the merit review cycle.

3. The supervisor shall ensure that the overall effort expected of the Project Scientist is commensurate with the appointment percentage.

4. For campuses that adopt an eight-year limitation of service, service as a 50% or more Assistant Project Scientist is limited to eight years of service (with the 8<sup>th</sup> year being the terminal year). Six months or more of service

within any fiscal year as either an Assistant Project Scientist or an Assistant Professional Researcher counts towards the eight-year limit.

5. When a Project Scientist simultaneously holds a University teaching appointment or other University position, the sum of all University appointments shall not exceed one-hundred percent (100%).
6. Non-Reappointment
  - a. Appointments of Less Than 50 Percent Time: The University is not obligated to give written notice of non-reappointment to Project Scientists 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 Project Scientists who have served fewer than eight consecutive years in the Project Scientist 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 Project Scientist 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 Project Scientist who has served at least 50 percent time for eight or more consecutive years in the Project Scientist 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 Project Scientist'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 Project Scientist 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 Project Scientist 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 Project Scientist’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 Project Scientist should respond.
- 2) The Project Scientist 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 Project Scientist who holds a term appointment, following the review of a timely response, if any, from the Project Scientist, 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 Project Scientist and the Union of the non-reappointment and its effective date.

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

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

- a. When Project Scientists are eligible for merit increases and promotions, such increases and promotions are based on academic attainment, experience, and performance, and are not automatic.
- b. Project Scientists 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 Project Scientist is responsible for providing and how they should be submitted;
  - 2) The date by which the Project Scientist 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 Project Scientist 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 1<sup>st</sup> 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 Project Scientists are at the sole discretion of the University. In the event a Project Scientist 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 Project Scientist 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 Project Scientist series to Professional Researchers series, Specialist series, or Coordinator of Public Programs series, if the appointment is in the same lab/unit or equivalent.

2. Review Period

- a. A Project Scientist with an initial date of appointment between July 1<sup>st</sup> and January 1<sup>st</sup> shall be reviewed as follows:
  - 1) Assistant Project Scientists at all steps and Associate Project Scientists, up to Step III, shall be reviewed every two years.
  - 2) Associate Project Scientists at Steps IV and V, and Full Project Scientists at Steps I-IV, shall be reviewed every three years.
  - 3) Full Project Scientists at Steps V and above shall be reviewed at least every five years, in accordance with local procedures.
- b. The review schedule for a Project Scientist with an initial date of appointment between January 2<sup>nd</sup> and June 30<sup>th</sup> will not commence until July 1<sup>st</sup> of that year. On July 1<sup>st</sup> 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 Project Scientist may request an off-cycle review (with the exception of campuses with half-steps, such as UC Davis). 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.
  - 2) It is the University's sole discretion to determine whether to conduct the off-cycle review.
  - 3) The review file will be prepared in accordance with campus guidelines and procedures.
- d. Project Scientists 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 Project Scientist must be reviewed at least every five years.

3. Evaluation Criteria

- a. A candidate for merit increase or promotion in this series shall be evaluated on the basis of the following criteria:



- 1) Demonstrated significant, original, and creative contributions to a research or creative program or project; and
    - 2) Professional competence and activity.
  - b. Project Scientists need not demonstrate the same independence or scholarly breadth as members of the Professional Research series.
  - c. Service as a Principal Investigator is not required for an appointment, merit increase, or promotion in this series.
  - d. In accordance with existing campus practices, a campus may require a career review at Step VI or to above-scale. This advancement will be granted on evidence of sustained and continuing excellence in scholarship or creative research achievement involving great academic distinction recognized nationally or internationally. Advancements to Full Steps VII through IX will only be granted on evidence of continuing achievement at the level required for advancement to Step VI.
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 Project Scientists only with the beginning of the Project Scientist's merit review cycle.