

**LAGUARDIA COMMUNITY
COLLEGE**

PERSONNEL REVIEW COMMITTEE

POLICIES AND PROCEDURES

September, 2004

I. **ROLE OF THE COMMITTEE**

The LaGuardia Community College Personnel Review Committee (PRC) was established, as required by the Board of Trustees, to make recommendations to the President on personnel actions. The PRC reviews actions for all Higher Education Officer Series titles and all full time Classified staff earning annual salaries of thirty (30) thousand dollars or more.

The Committee's primary goals are to insure the equitable administration of personnel procedures, in conformity with University and affirmative action guidelines and to help provide an environment in which well-qualified employees are attracted to the College, and then retained and rewarded. The Personnel Review Committee does not establish budgetary priorities.

The Personnel Review Committee reviews all personnel actions of the College Higher Education Officer Series, and selected Classified staff actions.

Actions for Approval

New appointments
(With exceptions noted for information only)

Merit increases for HEO's

Reclassifications

Reorganizations

Transfers between Divisions

Level Changes for Classified Staff

Temporary appointments for Classified Staff

Substitute appointments

Actions for Information

Appointments from
Civil Service Lists

Changes in functional title

Reassignments within Divisions

II. MEMBERSHIP

The college-wide Personnel Review Committee will include;

Vice President of Academic Affairs	Ex-Officio	Voting Member
Vice President of Administration	Ex-Officio	Voting Member
Vice President of Information Technology	Ex-Officio	Voting Member
Vice President of Adult and Continuing Education	Ex-Officio	Voting Member
Vice President of Enrollment Management/Student Dev.	Ex-Officio	Voting Member
President's Designee (to represent the President's Office)	Appointed	Voting Member
Affirmative Action Officer	Ex-Officio	No Vote
Director of Human Resources	Ex-Officio	No Vote
Labor Designee	Ex-Officio	No Vote
Three (3) Higher Education Officers (HEO's)	Elected	Voting Member
(and three (3) alternates)	Elected	Voting Member
Classified Staff Member	Appointed	Voting Member

Divisional HEO representation will be in rotational terms of three Divisions (including the President's Office) in the first two-year term, and the remaining three Divisions in the second two-year term. Thus, the total membership of the PRC will be thirteen (13) including ten (10) voting members and three (3) non-voting members.

A quorum consisting of seven (7) members must be present in order to convene a PRC meeting. There must be at least five (5) voting members present, excluding the Chairperson, to conduct business and vote on personnel actions.

The President will appoint the Chair of the Committee, who will use his/her vote in the event of a tie. If the Chairperson cannot attend a college-wide PRC meeting, he/she will designate a Vice President to act as chairperson for that meeting. Vice Presidents may send a substitute to represent them at college-wide PRC meetings. The Vice President's substitute is eligible to vote on actions

ELECTION OF HEO REPRESENTATIVES

Each division will elect one representative and an alternate, and each divisional representative will serve for a two-year term. Only Higher Education Officers (HEO) and Higher Education Associates (HEA) are eligible to be nominated as a member of the college-wide PRC.

Within a Division, all staff appointed to HEO Series Titles are eligible to vote with the exception of those in "Substitute" Titles.

The Director of Human Resources will solicit all eligible HEO/HEA individuals with interest in serving on the PRC for self-nominations. A secret ballot, listing eligible

nominees, will be distributed to all eligible voters within each Division. The Human Resources Director will coordinate a mail vote for each Division.

A majority vote for eligible nominees is required to elect a member of the PRC. The runner-up to the majority vote will have been elected as an alternate member of the PRC. In case of a tie, successive secret ballots will be called for until the tie is broken.

III. TYPES OF ACTIONS REVIEWED BY PRC

A. New Appointments:

The Personnel Review Committee reviews all new Full-time appointments in the Higher Education Officer Series and selected civil service appointments that require a full-time workweek and receive a minimum annual salary of \$30,000. Appointments made from an open competitive or promotional Civil Service List are excluded from review by the PRC but will be included on the Agenda as informational items.

B. Substitute Appointments:

The Personnel Review Committee reviews all full-time tax levy substitute appointments for HEO Series titles. Substitute appointments are short-term appointments to fill vacant or new budget supported positions, and are limited to a total of two (2) years in a substitute capacity throughout the University. If it is necessary to fill a position on a substitute basis, a search to fill the position permanently must begin at the end of the sixth (6th) month of a substitute appointment. Thus, requests for a renewal of a substitute appointment must include documentation to show that the search for the position has begun. A finalized Position Vacancy Notice (PVN) must accompany requests for the renewal of substitute appointments.

C. Temporary Civil Service Appointments:

Temporary Civil Service Appointments are made for a term of 90 days. They may be for the purpose of hiring for a limited duration of a special project or to meet the need for an urgent, immediate hiring. The 90-day temporary appointment may be extended, with justification, up to three times for a total of one year from the original appointment date. Temporary Civil Service Appointments may also be made to fill an approved Leave of Absence Vacancy for the duration of the leave. All temporary appointments are subject to full review by the PRC.

D. Merit Increases:

Merit increases are processed annually in March/April. An eligible employee in a HEO Series Title or his/her divisional Vice President may initiate merit increases if the employee meets the following eligibility criteria:

Employee has had one year of service in the current HEO series title.
Employee did not receive a merit increase in the previous fiscal year.
Employee is not at the top of the current salary range.
Employee has assumed additional responsibilities and/or has sustained exceptional performance.

1. Procedure: Eligible employees in a HEO Series title or their divisional Vice Presidents/Deans may propose merit increases to their Divisional Merit Review Committee. The Divisional Merit Review Committee reviews applications for merit increases and forwards its recommendations for such increases to the college-wide Personnel Review Committee. Staff who apply to the divisional Merit Review Committee for an increase and are turned down by that body may appeal to the Personnel Review Committee.

2. Documentation: All requests for merit increases must include a PRC request form along with the completed Merit Application, both available from the Human Resources Department, as well as a current job description, a performance evaluation completed within the previous 12 months, and a current organizational chart. The employee or the Vice President must contact the Human Resources Department to make sure that all documents are current and on file.

3. The Divisional Merit Review Committee: The Vice President shall appoint a Divisional Merit Review Committee consisting of deans or directors, senior managers and representation of HEO Series staff within their respective divisions. The Vice Presidents shall report the membership of the Committee to the Human Resources Director. Voting in the Committee shall be by secret ballot. The vote of the Committee shall be reported on each Merit Application. The results of all votes will be reported by the Vice President to the Human Resources Director, who will send the standard "Notification of Rejection" letter to all applicants who are not recommended for a merit increase by their Divisional Merit Review Committee.

4. Limits on Recommendations from Each Division: The number of merit increases that may be considered is limited by available resources. The Executive Council will inform the Human Resources Director of the percentage of HEO Merit Increases. Historically, the proportion has ranged from 5 to 10 percent. Any consideration of a larger proportion is subject to approval by the Executive Council and the President. The Human Resources Director will inform the Divisional Merit Review Committees, prior to their deliberations, of the maximum number of merit increases that they may

recommend each year. The maximum will be proportionate to the total number of HEOs in the division.

5. Two or More Step Increases: In cases of extraordinary performance or significant expansion of duties, the Vice President may recommend to the Personnel Review Committee a two or more step increase for an individual whom the Divisional Merit Review Committee has recommended for an increase. Such a recommendation should be supported with additional documentation.

IV. COMMITTEE PROCEDURES AND DOCUMENTATION

A. Salary:

The University has provided the College with discretion in determining compensation: all salary steps are regarded as appropriate within a HEO title. In making initial salary offers or pay changes, the college should consider experience and expertise that the person brings to the particular position, the market for such skills (including his/her previous compensation), opportunities for advancing to higher steps in the pay structure, and comparable pay of others in the organization performing work of similar value. The salary offered must be within the range listed on the PVN. Movement from a substitute to a regular appointment is considered a lateral move with no increase, unless it is a contractual increment. Exceptions can be made on a case-by-case basis by the PRC before forwarding the recommendation to the President and CUNY for final approval.

B. Confidentiality:

To protect the rights of the employees, Committee discussions and votes of members are confidential. Votes will be taken by secret ballot except in special circumstances where telephone polling is acceptable. (The Chair of the PRC speaks directly with each PRC member.) E-mail ballots are not acceptable.

C. Approval Process:

The President, CUNY Office of Faculty and Staff Relations, and the Board of Trustees must approve Committee recommendations. Action is final upon approval by the President, the Office of Faculty and Staff Relations and the Board of Trustees.

D. Appeals:

The candidate may make Appeals of Committee recommendations to the President.

E. Historical File Of PRC Actions:

The historical file of actions is maintained in the Human Resources Department.

F. Affirmative Action Approval:

The Affirmative Action Officer must approve new and substitute appointments before they are placed on the PRC Agenda to insure conformity with Affirmative Action Guidelines.

G. Schedule:

All proposal packages, along with the PRC Request Form, must be completed and submitted to the Human Resources Department at least one week before the scheduled college-wide Personnel Review Committee meeting. The PRC Chair under extraordinary circumstances may grant waivers.

Revised September, 2004

Guidelines Regarding Recruitment and Appointment to Higher Education Officer Series Positions (HEO Guidelines)

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Appendix A

Guidelines Regarding Recruitment and Appointment to Higher Education Officer Series Positions (HEO Guidelines)

I. INTRODUCTION

The Higher Education Officer (HEO) series is a part of the non-teaching instructional staff of The City University of New York (CUNY). An appointment to a position in this series requires that affirmative action procedures be followed in the recruitment and selection process and that the person chosen possess at least the minimum qualifications as established by the Board of Trustees in its Bylaws¹. The University reviews all HEO series job descriptions prior to posting and, along with the college, ensures that positions have been classified properly and that essential functions are identified. At its meeting on October 25, 1999, the Board of Trustees empowered the Chancellor to delegate certain responsibilities for personnel actions to the College Presidents. Pursuant to that delegation, the College President has the responsibility to certify that the individuals the college recommends for appointment in the HEO series meet the qualifications expressed in the Bylaws and to recommend a salary appropriate to the position and their qualifications. The Office of Faculty and Staff Relations (OFSR) periodically audits college appointment actions to confirm that selected candidates are qualified and that the pay offered is consistent with the PSC/CUNY collective bargaining agreement and University policies. On the basis of these audits, the University reviews the delegations given to the colleges and reports its findings to the Board of Trustees. On occasion, the University may also impose and enforce hiring and wage freezes, which may affect this review process. In such event, specific guidelines will be promulgated.

The policies and procedures outlined below are set forth to assist college staff involved in classifying positions and in recruiting, selecting, and appointing employees serving in the HEO series. Success in the implementation of these guidelines requires cooperation among a number of college offices, but in particular that of the Human Resources (Personnel) and Affirmative Action Offices.

A. AFFIRMATIVE ACTION

The Board of Trustees of The City University of New York has adopted numerous resolutions supporting affirmative action and has committed the University to a "vigorous program of action" (Board of Higher Education Minutes, 12/28/70). For affirmative action purposes, the protected classes as delineated in Federal Executive Order No. 11246, namely Black, Hispanic (including Puerto Rican), Asian/Pacific Islander, American Indian/Alaskan Native and women, were expanded in December 1976 by the Chancellor of The City University of New York to include Italian Americans. The May 28, 1985 restatement of the Board's commitment specifically directed the Chancellory and the colleges to "reemphasize the taking of the positive steps that will lead to recruiting, hiring, retaining, tenuring and promoting increased numbers of minorities and women." In addition, The City University of New York is bound by Federal, State and local laws, regulations and executive orders, which collectively prohibit discrimination based upon race, color, religion, gender,

national origin or citizenship status, disability, age, veteran status, pregnancy, marital status, sexual orientation, prior arrest or conviction record under certain circumstances, and genetic predisposition or carrier status. These laws also prohibit retaliation against an individual for raising an allegation of discrimination, filing a complaint of discrimination, or participating in a proceeding to determine if discrimination occurred. To fulfill its legal obligations, there are processes that the University must follow in recruitment, selection, and promotion of staff. These processes seek to make access to employment opportunities open and available, with outcomes that are fair and just. The College Affirmative Action Officer is responsible for implementing this program and is charged with serving as a resource to college officials, search committees, the College Affirmative Action Committee, and various college constituencies, regarding the interpretation of all regulations that apply to the affirmative action program.

B. SUMMARY OF PROCESS

The HEO series is a non-promotional series; thus movement to a higher title in the series may only occur because of

- The appointment of an individual to a vacant position in a higher title pursuant to a search or
- Reclassification of the position ([see Section II.D. and E.](#)).

The following steps are typically taken in filling a position or in reclassifying a position in the HEO series:

Initial College Activities

1. Request by a college department/unit to the appropriate college official (Vice President) to fill a new or vacant position or to reclassify an existing position;
2. College budget review/approval to fill the position or reclassify the position (Executive Council);
3. Department/unit request that the College Human Resources Office develop a vacancy notice or conduct a reclassification review;
4. College determination of the proposed classification of the position;
5. Optional informal discussion of the proposed classification with the University Director of Classification; identification of duties overlapping the classified service, if any;
6. Consultation with the College Affirmative Action Officer about representation of protected groups in the title, the expected adequacy of the candidate pool, search procedures, etc.;
7. Decision by the college on the type of search to be undertaken;
8. College preparation of a proposed Personnel Vacancy Notice (PVN) or reclassification package;
9. Approval of the reclassification proposal by the College HEO Committee or sign-off by the Committee on the proposed PVN;

10. Sign-off on the proposed PVN by the College Director of Human Resources and the College Affirmative Action Officer; and
11. Electronic submission by the college of the proposed PVN with a recommended opening and closing date, or submission of the reclassification package to the University Director of Classification for review and approval.

Review and Approval of Classification or Reclassification Requests by the University

- Review of classification or reclassification proposals, with guidance and suggestions for corrections, as needed, in discussion with the college;
- Approval of the proposal or referral of unresolved issues to the University Personnel Director; possible further review by the Vice Chancellor's Advisory Committee; if necessary, submission to the Vice Chancellor for a decision;
- For approved PVNs, the designation of a PVN number and an opening and closing date for the posting; for approved reclassifications, a written notice to the college; and
- University posting of the PVN to the CUNY website, hard copy PVN distribution consistent with University procedures, and release for college posting.

College Recruitment and Selection Activities

- Consistent with University policies, advertisement, applications review, interviewing, background checks, and selection of successful candidate;
- Verification of candidate's educational attainment and experience;
- Presidential recommendation of personnel actions via the Chancellor's and University Reports; and
- Presidential certification of compliance with University selection procedures, qualification requirements, and compensation standards by Presidential sign-off on Chancellor's and University Reports.

OFSR Post-Audits of College Personnel Action

- Monthly audit of the Chancellor's and University Reports to ensure that classifications and reclassifications have been recorded correctly;
- Periodic post-audits of the college recruitment and selection processes;
- Corrective action as necessary;
- Periodic reports to the Board of Trustees on the audit findings.

¹ At its meeting on October 25, 1999, the Board of Trustees adopted changes to the qualifications for positions in the HEO series. See Sections 11.14 - 11.17 of the Bylaws of the Board of Trustees.

Guidelines Regarding Recruitment and Appointment to Higher Education Officer Series Positions (HEO Guidelines)

II. CLASSIFICATION

A. INTRODUCTION

The State of New York mandates classification responsibility of each separate public employer. CUNY is deemed such a separate employer in the New York State Education Law (Section 6207) and, as such, is subject to the New York State Civil Service Laws.

The HEO series was created by resolution of the Board of Higher Education (the precursor of the Board of Trustees) on September 26, 1966², as part of the instructional staff, *i.e.*, as unclassified civil service titles consistent with Article 35 of the New York State Civil Service Law³. The New York State Education Law requires the Board of Trustees to "determine to what extent examinations are practicable to ascertain merit and fitness for each of the positions within the educational units covered and administered by it and, in so far as examinations are deemed practicable [to] determine to what extent it is practicable that such examinations be competitive⁴. In June 1967, the Board of Higher Education approved a document entitled *Appointment Procedures and Practicability of Competitive Examinations for Higher Education Officer Series Titles*⁵. This document concluded that formal examinations for positions in the Higher Education Officer series were impracticable for determining merit and fitness and recommended that HEOs be appointed through an "unassembled examination" adapted from the practice used for the selection of faculty. The recruitment and HEO screening process, therefore, is the method adopted by the Board of Trustees to determine merit and fitness in lieu of formal civil service examinations.

The responsibility for ensuring proper classification is assigned by New York State law to the CUNY Civil Service Commission and to the Board of Trustees. Both of these entities have, in turn, directed that the Vice Chancellor for Faculty and Staff Relations manage the day-to-day administration of classification. OFSR determines whether a position proposed by a college belongs in the classified service or the unclassified, that is instructional, service; it also determines the proper title.

Proper classification of a particular position with a particular set of duties requires careful analysis. Certain positions are unambiguously in the unclassified service, including full- and part- time teaching, research, administration of student personnel functions, academic administration, and laboratory administration in academic departments. Other administrative positions often are amalgams of duties that create less certainty in classification and may require careful distinctions between classified and unclassified tasks. In determining the proper classification, OFSR will weigh the degree to which the tasks in question constitute the core functions of the job.

Other positions, such as those enumerated in *Bylaw* Section 14.1 (managerial, clerical, secretarial, professional, semi-professional, and maintenance and operation of physical facilities), are clearly intended for the classified service. For the most

part, detailed job specifications for all such positions have been established by the CUNY Civil Service Commission and positions performing the duties as outlined shall be classified accordingly.

To assist the colleges in allocating positions to the proper class - classified or unclassified (*i.e.*, instructional) - and within the instructional service to the proper title (*e.g.*, Higher Education Officer or Higher Education Associate), OFSR provides a classification matrix of sample, prototypical positions to be used by the colleges in proposing classifications to the University Classification Director. This matrix should enable the colleges to anticipate classification issues better and resolve allocation problems.

The University Personnel Office does not review classifications for Research Foundation positions or positions of other separately incorporated employers affiliated with the colleges.

B. FREQUENTLY USED TERMS

- **Position Classification** is the allocation of positions to established job titles based on such factors as: (1) scope and complexity of job duties, (2) supervisory responsibilities, (3) necessary skills, knowledge, and abilities required to perform the job, (4) competencies necessary for successful performance, (5) reporting relationships, and (6) extent of preparation needed to perform the job.

- **University Director of Classification** is the person in the University Personnel Office responsible for: (1) reviewing and approving the allocations by the colleges of new or reclassified positions to established job titles based on classification factors; (2) preserving equity among colleges in the classification system; (3) assisting the colleges in conforming classification requests to University policy, Board *Bylaws*, collective bargaining agreements, and CUNY Civil Service Commission Rules; (4) resolving out-of-title classification issues; (5) providing staff support to the Vice Chancellor's Advisory Committee in reviewing unresolved classification matters; and (6) conducting studies and formulating recommendations for amending the classification system.

- **Job Families** are the groupings of job titles into clusters of related activities, typically providing for progressively more responsible and skilled work, such as from apprentice to managerial. The purpose of such arrangements is to provide a method for comparatively benchmarking positions and setting pay in a range of job responsibilities; job families may also be useful in designing promotional opportunities, career development plans, training programs, etc.

- A **Vacancy**, for purposes of this document, is a full-time position, which the college has the financial ability and intent to fill, that occurs when

- a line is created for a new position
- an incumbent resigns
- an incumbent is terminated
- an incumbent dies
- an incumbent takes Travia Leave/retires
- an incumbent vacates one position for another

- A **Position Vacancy Notice (PVN)** is the public announcement made by a college for the recruitment to fill a position in an approved classification. (For specifics, [see Section III.D.](#))
- **Skills, Knowledge, and Abilities (SKAs)** are standard classification terms for the attributes needed to perform successfully in a position. SKAs may be measured by certain qualification requirements of candidates (e.g., education, work experience or professional accomplishments). For classification purposes, the identification of needed SKAs assists in determining the scope and complexity of the position.
- **Competencies** are similar to SKAs but usually with more specific performance measures, *i.e.*, the demonstrable ability to perform at prescribed levels of proficiency. In classifying positions, competency levels will vary from a trainee, with an ability to learn the skill in a specific amount of time, to a master of the skill, who sets the standards for the entire profession.
- A **Matrix of Benchmarked Positions** is a sample of prototypical positions identifying primary responsibility, SKAs, competencies, or other distinguishing factors that may be used to allocate positions among titles. A position may not exhibit all of the factors of a benchmarked position. The process of interpolating the appropriate classification among benchmarked positions is complex. The matrix is intended to provide greater objectivity and consistency in the classification review and to make available to the college the standards utilized by the University Director of Classification.
- A **Substitute Appointment** is a temporary appointment for a period not to exceed six months. The purpose of a substitute appointment is to fill, temporarily, a position of a person on leave, or to fill a position requiring immediate occupancy due to an emergency. A substitute appointment may not become a regular appointment, unless a search is completed and the incumbent substitute is the successful candidate.
- **Essential Job Duties** are those tasks that everyone serving in such a position must be able to perform. The distinction between essential and non-essential duties is important for compliance with the Americans with Disabilities Act, by ensuring that performance issues regarding non-essential tasks are not used to preclude applicants from selection.
- **Reclassification** is a change in the position classification owing to the accretion or assignment of additional duties that significantly affect the scope and level of responsibility of the job so as to render the current title inappropriate.
- **Reorganization** is a management-directed redesign of work and reporting relationships that significantly alters and affects the processing and flow of work in the unit(s) and that may result in reclassification of existing classification levels. A reorganization may also result in the creation of new vacant positions, which must be filled through established search procedures.
- A **Reassignment** is a significant change in duties or responsibilities resulting in a new functional title but no change in HEO classification.
- The **College HEO Committee** at LaGuardia Community College is The Professional Review Committee. A group of senior administrators appointed by the President and elected representatives of HEO series titles who review and recommend for approval all position classifications, appointments, reclassifications, and salary step awards in the HEO service.

- The **Vice Chancellor's Advisory Committee** is the group of senior staff in OFSR, who are designated by the Vice Chancellor to review, along with the University Director of Classification, all proposed reorganizations resulting in reclassifications and all HEO classifications and reclassifications that have been referred by the University Personnel Director. The committee's recommendations are discussed with the college and, upon request by the college, reviewed by the Vice Chancellor prior to a final decision and notification to the college. The Advisory Committee may periodically provide the Vice Chancellor with evaluations of the HEO process and recommend amendments to the HEO Guidelines.

C. CLASSIFICATION OF VACANT AND NEW POSITIONS

Each time the college establishes a new position and each time an existing position is vacated, the classification of the position should be reviewed by the College Director of Human Resources and discussed with the head of the College HEO Committee. For new positions, the matrix of benchmarked positions will provide guidance in slotting positions to the proper level. Unique job assignments and mixtures of duties from several classifications can usually be accommodated by making reasonable interpolations from the benchmarked positions matrix. A college may at any time request the University Personnel Office to review a classification and provide preliminary assistance in reaching a determination. In highly unusual situations, a college may request the University Director of Classification to conduct a classification study prior to the college completing the assignment of the position to a title.

After identifying the proposed classification, the college will electronically submit a draft PVN to the University Director of Classification. The Director will handle this request following University procedures ([see Section III.D. below](#)). **All PVNs to fill new or vacant positions, including those for which the College Affirmative Action Officer has authorized a college-limited search, require prior approval of the University Director of Classification before recruitment may begin.**

D. RECLASSIFICATION OF CURRENTLY OCCUPIED POSITIONS

The criterion for reclassification approval is that the preponderance of duties and job requirements currently fall appropriately in the higher HEO title being sought by the college. This change in classification may be merited because of an accretion of duties, a reorganization of functions, a legal mandate changing the nature of the work, or some other significant alteration in the duties previously assigned. In general, the same procedures govern the reclassification process as are applicable to the classification process.

HEO positions may not be reclassified into the Executive Compensation Plan (ECP), nor are reclassifications into the classified service permissible. If, in the opinion of the college, a change in job duties renders an existing HEO position more appropriate to either the ECP or to the classified service, removal of those duties from the HEO position is an option. The college may also wish to consider establishing a new position to encompass the duties in question.

College Actions in Reclassifying Currently Occupied Positions

The College Director of Human Resources will review with the requesting department the position duty changes that are believed to warrant a reclassification

of the title. In most cases, the employee will be the incumbent in the position in question, although, in certain cases, such as prospective reclassifications, more than one employee may be qualified to perform the assigned work. The approval of the process by the College Affirmative Action Officer is required, assuring that all similarly situated and equally qualified candidates are given an opportunity to be considered.

When the College Director of Human Resources is satisfied that the new job description is consistent with the requirements of the higher title in the HEO series, the request will be presented first to the College HEO Committee, and upon its approval to the University Director of Classification.

Once the position reclassification approval has been received from the University, the college is responsible for determining that the candidate selected meets the qualification requirements and that the new salary of the position is consistent with the salary schedule. Early movement of the appointed employee to either the five-year or the seven-year step of the salary schedule requires prior OFSR approval. Employees retain the same annual increment date in the higher title, unless a different date is required by University policy.⁶

Appointments to reclassified titles will be effective on the first of the month following the Board meeting at which they are approved. In rare circumstances, the college may request a retroactive appointment to a reclassified position, but no earlier than 60 days before the Board's approval. In no case may the appointment be reflected on payroll prior to Board action.

University Actions

Once the college has completed its internal process of review and approval and has submitted the reclassification request to the University, the University Director of Classification will review the following documents:

- pre- and post-job descriptions for the position(s) affected by the request, and pre- and post-organization charts, indicating all functional titles, all payroll titles, and all employee names in the unit; and
- in the case of a prospective reclassification request, a statement/form signed by the College Affirmative Action Officer indicating that in filling the position selected for reclassification, the process will include consideration of all available candidates in the unit who would be qualified to perform the duties of the newly classified position.

E. REORGANIZATION OF DEPARTMENTS/DIVISIONS

Reorganization Procedures

When reorganization occurs, movement of HEOs into different titles within the series may become necessary. To facilitate these title changes, requests for reorganizational title changes will be considered as a package. Requests should be sent by the College Director of Human Resources to the University Personnel Office after review and approval by the College HEO Committee and must include:

- a transmittal letter from the appropriate College Dean or Vice President summarizing the total number of title changes requested pursuant to the proposed reorganization;
- a narrative outlining the rationale for the restructuring, which includes a description of all facets of the reorganization;
- pre- and post- organization charts;

- pre- and post- job descriptions for all positions in which duties will change, with an indication as to how each position will be filled, *i.e.*, through search, reclassification, reassignment, etc.; and
- a written attestation by the College Affirmative Action Officer that the University's Affirmative Action Policy has been followed in connection with the reorganization.

All reorganization requests will be reviewed by the Vice Chancellor's Advisory Committee. A representative of the college may be invited to make a presentation to the committee.

Reorganizations that include functional changes but not classification changes should be submitted to the University Personnel Office so that current job titles and descriptions are on file.

The College Affirmative Action Officer must periodically conduct an adverse impact analysis, along with other statistical reviews, to assess if salary or title changes resulting from reclassifications or reorganizations are impacting negatively on any protected group. This information should be discussed with the President, the College HEO Committee and other college committees as appropriate.

F. REASSIGNMENTS (CHANGES IN FUNCTIONAL TITLE)

Reassignments are the prerogative of the college ([see Article 13 of the CUNY/PSC Agreement](#)); however, a person may only be reassigned to perform duties appropriate to his/her title. Changes of this nature must be sent to the University Director of Classification with:

- pre- and post- job descriptions of the person being reassigned, and
- pre- and post- organization charts.

G. CLASSIFICATION WHEN DUTIES OVERLAP THE CLASSIFIED CIVIL SERVICE

Proposals from the college to classify positions in the instructional staff that perform duties that may overlap job specifications in the classified civil service pose special problems. Guidelines for determining such classifications follow, but given the unique nature of jobs, a case-by-case review is mandatory.

The areas most frequently impacted by overlapping job specifications are:

- clerical, secretarial, and administrative assistant
- accounting
- purchasing
- reprographics and graphic design
- radio and television technical support
- media services
- engineering, architecture, and interior design
- project management (buildings)
- administrative computing and telecommunications
- administration of buildings and grounds
- administration of public safety operations
- health services for staff and/or students
- special services for staff and/or students with disabilities.

Previous classification approvals for the position and earlier classification approvals of similar positions do not necessarily ensure approval of the position in question.

Moderate changes in duty assignments, changes in the weight given to certain responsibilities, the results of new collective bargaining agreements or settlements of classification challenges, and the revisions made periodically to job specifications may all impact and possibly alter the standards for weighing the appropriate classification of a particular position.

Colleges should support the requested classification by providing comparable classifications and by indicating the specific functions performed in the job that render it suitable to the unclassified service. In doing so, the following parameters should be considered.

General Guidelines for Placing Positions with Overlapping Duties in the Instructional Staff

Positions meeting the criteria in one of the categories below and performing **predominantly** instructional staff duties⁷ (*i.e.*, exceeding one-half of total effort) are to be classified in the instructional staff. Those meeting the criteria in one of the categories below and performing **substantial** instructional staff duties (*i.e.*, exceeding one-third of total effort) should be reviewed and described carefully; these positions may be candidates for classification in the instructional staff, depending on a variety of factors. Positions performing **ancillary** instructional staff duties (*i.e.*, less than one-third of total effort) are uncertain candidates for classification in the instructional staff, even when they meet the below criteria. Certain exceptions may exist; the colleges may wish to discuss special cases with the University Personnel Director before proposing a classification.

Positions in Academic Departments, Including Libraries:

- Academic/professional support positions in academic departments, working directly with faculty and students in a role related to teaching or the supervision of teaching, not merely technical in nature; and
- Certain high-level professional positions (*e.g.*, academic/professional program administration and educational computing) that may include administrative tasks in the support of sponsored programs, teaching, or the supervision of teaching.

Positions in Academic and Administrative Computing Departments:

- Positions in a separate Academic Computing Center or in a separate Academic Computing Division of a Computer Center (other than those entry level positions of a strictly technical nature); typically these positions will involve assisting faculty and/or students with instructional design, instructional delivery, research, grants, distance learning, etc.;
- Positions in Administrative Computing Centers (or in Computing Centers with joint academic/administrative responsibility), performing instructional staff duties similar to those that may also be performed in an Academic Department that are not of a strictly routine, clerical, or technical nature, and comprising a **predominant** part of the total tasks of the position;
- Positions, other than those of a strictly routine, clerical, or technical nature, predominantly devoted to major academic computing systems (*e.g.*, library systems, registration systems, research systems, and distance learning systems) and with substantial policy involvement with faculty (NOTE: does not include major administrative systems for budgeting, accounting, human resources, payroll, student records, etc.);
- Senior managerial positions in an Administrative Computing Center (*e.g.*, Computing Center Director, Deputy Director, and, depending on the duties

performed, Associate Director); the duties/level of responsibility in these positions should be **significantly** different from the job specifications of the CUNY managerial service titles in the classified service.

Positions in Administrative Departments Other Than Computing:

- Positions directly supporting the delivery of instruction, research, instructional design, consultation with faculty or students (directly related to academic matters), grants, academic and community programs, etc.;
- Other managerial/professional positions, other than those for which classified service position specifications are established (including, but not limited to, facility management, public safety, architecture, engineering, accounting, purchasing, and administrative computing).

² *Minutes of the Board of Higher Education*, September 26, 1966, Cal. No. 2(b).

³ Section 35 of the New York State Civil Service Law specifies that certain positions within the Board of Higher Education are removed from the classified civil service. By reference to the New York State Education Law, it also provides other standards for determining which positions at CUNY shall be deemed to be unclassified.

⁴ New York State Education Law Section 6212.6 (McKinney's, 1985).

⁵ *Minutes of the Board of Higher Education*, June 19, 1967, Cal. No. 26, pp. 323-324.

⁶ The increment date of an individual in a HEO series title will change from January 1 to July 1, or *vice versa*, if all of the following circumstances are present: 1) the individual was reclassified or otherwise appointed to a higher title in the series; and 2) the individual had been on a step in the lower title for longer than 11 months (e.g., on the last one-year step or on the five-year step; and 3) the other increment date is closer in time to the new appointment than the individual's current increment date. Example: Jane Doe, a Higher Education Associate who has a July 1 increment date, has been on the last one-year step for three years. Her position is reclassified to a Higher Education Officer position, effective September 1, and she has been placed in the middle of the Higher Education Officer salary schedule. Because she has served over 11 months at the last one-year step on the Higher Education Associate salary schedule, she will be eligible for an increment on the following January 1 on the Higher Education Officer schedule.

⁷ See the previous discussion of Bylaw definitions of the duties performed by instructional staff and of New York State Education Law.

Guidelines Regarding Recruitment and Appointment to Higher Education Officer Series Positions (HEO Guidelines)

III. RECRUITMENT PROCEDURES

A. AFFIRMATIVE ACTION POLICIES

As noted earlier, CUNY, as a federal contractor and pursuant to Board of Trustees' policy, has adopted an affirmative action program that governs the process by which positions are filled. The search, *i.e.*, the process of recruiting and assessing credentials as presented in resumes and interviews to determine merit and fitness, constitutes the University's approach to fulfilling its obligations to administer unassembled examinations. The search process preserves the integrity of campus selection procedures and increases the opportunity for members of protected classes to be represented in candidate pools and to be selected at rates that reflect their availability in the labor market.

The College President is ultimately responsible for ensuring the appropriateness and integrity of the affirmative action program at the college. The College Affirmative Action Officer is responsible for implementing the program with guidance from the University Office of Compliance and Diversity Programs.

B. THE RECRUITMENT PLAN

Once the College has determined that a vacant position will be filled, a recruitment plan must be prepared in consultation with the College Affirmative Action Officer. The College Affirmative Action Officer will examine relevant data, including underutilization, overall representation, and hiring patterns, to determine the level of outreach that is appropriate. The plan must detail the outreach efforts that will be made. If underutilization is present in the title, outreach **must** go beyond the campus community. The recruitment plan must be approved by the College Affirmative Action Officer **before the search begins**. A copy of the approved plan must be kept with the search file. Typically recruitment plans consist of:

- the University or college PVN,
- sample wording of the advertisement,
- a list of media and other methods by which outreach will occur (including samples of correspondence or announcements of openings), and
- authorizations to hire.

C. SEARCHES

Standard Search

A standard search requires aggressive outreach to potential applicants at the national or regional level. Most positions will be filled through the use of a standard search.

University-wide Search

A University-wide search relies on the distribution of the University PVN to a variety of local and national organizations and placement on the University's website to

produce an adequate applicant pool. University-wide searches limit campus obligations to advertise outside of CUNY, but are not limited to CUNY employees. The College Affirmative Action Officer must approve the request before a search may be conducted at the University level.

College-limited Search

In circumscribed situations, the College Affirmative Action Officer may authorize a college-limited search for a HEO position. Authorization will be based on the justification offered for the limited search and certification that the payroll title in which the position falls does not show any underutilization at the college.

Searches of this nature require posting of a PVN in the department where the position is being recruited, in the College Human Resources Office, in the College Affirmative Action Office, and in any other areas where vacancy notices are normally displayed at the college. College-limited searches may be restricted to college employees; however, any search limits must be clearly stated on the PVN.

Monitoring the Search

Before a posting period has ended, the College Affirmative Action Officer should examine the applicant pool to determine if additional outreach efforts are needed. Once the posting's closing date has passed, it is the responsibility of the College Affirmative Action Officer to certify that the processes up to that point conform with the University's procedures.

Concluding the Search

After approval of the applicant pool has been obtained, the hiring department can begin the screening and interview process. If it has not already been done, it is often helpful to have the search committee or hiring official meet with the College Affirmative Action Officer at this point to review procedures for screening resumes and conducting interviews in an appropriate manner. While screening of applications may begin at any time, interviews of candidates should not routinely take place before the closing date on the posting. Under special circumstances, it may be necessary to conduct a limited number of interviews at the same time that applications are being received (e.g., to accommodate a special conference or recruitment forum). In these cases, prior approval from the College Affirmative Action Officer is needed. Once a final candidate is identified and **before an offer is made** the College Affirmative Action Officer must review the interview documentation and certify that appropriate procedures were followed. A certification form, which includes elements of the recruitment plan as well as applicant pool information and that attests to conformance with the University Affirmative Action Policy, must be electronically sent by the College Affirmative Action Officer to the University Coordinator of Compliance and Diversity Programs upon the selection of a candidate (see Appendix B). This certification will be matched with entries on the Chancellor's/University Reports.

Special Considerations

Normally, appointments from a search occur within six months from the time the PVN closed. If circumstances warrant it, the College Affirmative Action Officer may approve the consideration of a candidate pool from a PVN that closed up to twelve months earlier, provided the position is exactly the same as previously announced. On rare occasions, the search requirement may be relaxed by the University Coordinator of Compliance and Diversity Programs upon a written request by the College Affirmative Action Officer. Examples where this may be appropriate include:

regularization of positions due to transfer of funding sources when the individual being appointed has come through a search, or appointment of an individual who has come forward from a technically flawed search (e.g., the salary posted was too low, but an excellent candidate surfaced and requires a higher salary).

Waiver of the Search Requirement

Under certain circumstances, a college may request that the University Coordinator of Compliance and Diversity Programs recommend a waiver of the search requirement in order to appoint an individual to a HEO position. Search waivers require extensive justification and will continue to be reported to the Board of Trustees.

D. POSTING PERSONNEL VACANCY NOTICES (PVNs)

Before any PVN may be posted, the University Director of Classification must approve the classification. Following approval, except for college-limited searches, the University Director of Personnel will post the PVN to the University website. The University Director may distribute the PVN further, consistent with University policy, and the colleges may also distribute the PVN more broadly. Posting periods must be consistent with these guidelines (see below). Colleges must make **all** CUNY postings, including University-wide postings from other colleges, available to potential applicants. Such access may be in print and/or electronic format. Reasonable accommodations that permit access to the application process must be made for people with disabilities. Examples of accommodations include use of technology to replicate speech, large-print PVNs, and posting of job notices in places accessible to wheelchair users.

Required Elements

All PVNs for full-time HEO positions **must** be completed in the prescribed University format and **must** include all of the following information:

- a payroll title from the University Payroll Title Code List;
- a functional title from the University Functional Title Code List; if the functional title desired by the college is not listed, a written request should be made to OFSR to create that title;
- if the position is not currently available, but a vacancy is "anticipated," such should be noted above the functional title;
- a statement of the **essential** job requirements; for positions where job requirements are established by OFSR or the *Bylaws*, those requirements must be listed;⁸
- qualification specifications as set forth in the *Bylaws* must be listed;
- a closing date of no less than two weeks and no more than 90 days; when a position is open "until filled" the posting will automatically close after 90 days unless re-issued;
- the name and address of the person to whom applications, resumes, or other initial filing papers should be sent or delivered; when references are requested at the time of application, the minimum number required shall be stated;
- the electronic code, signature or initials of the College Human Resources Director and the College Affirmative Action Officer;
- The following statements will appear on the standard PVN format: 1) the University/College EEO statement, *i.e.*, "CUNY is an Affirmative Action/EEO employer that encourages applications from under-represented groups. Reasonable

accommodations will be made for disabled individuals who need assistance to participate fully in the application process. Disabled individuals may direct requests for reasonable accommodations to participate in the application process to (add name and address/phone number here)"; and 2) a statement regarding compliance with Immigration Reform and Control Act regulations.

NOTE: The proposed organization chart must be attached to the PVN.

For positions funded by the Research Foundation, a Research Foundation PVN must be used. The Research Foundation PVN should be sent directly to the Research Foundation Personnel Office.

Optional Elements

PVNs for HEO positions **may** include the following:

- Colleges may wish to indicate the proposed salary either by specifying the full salary range (including the five-year and the seven-year steps), a part of the range, or a generic range (e.g., the "mid-80's"), or by stating that the salary is "commensurate with experience," consistent with the contractual payroll title being posted. Notations regarding future pay range changes that will occur prior to the anticipated date of appointment and which may enhance interest in the position may also be included. If the college chooses to identify a salary range, any addition to salary that is anticipated must be identified in the advertised range.⁹ **When advertising a portion of a salary range, colleges must give considerable thought to the salary steps chosen, because applicant pools reflect the salaries offered. If it becomes desirable to offer a salary higher than that advertised, the College Affirmative Action Officer will determine if the effect on the applicant pool is significant enough to justify reopening the search.**
- For vacancies listed as "anticipated," the college may wish to provide information on the specific appointment contingencies (e.g., the position is subject to final approval at the college, subject to receipt of some special funding, or subject to approval of some special legislation).
- Additional preferred job-related qualifications that may give prospective candidates an indication of skills that the college believes will allow the candidate to perform the job duties more effectively, but that are not required by the *Bylaws* or University policy, may be posted.
- A degree beyond the baccalaureate as appropriate to perform the duties of a particular Higher Education Associate or Higher Education Officer position may be required.

Relationship of Advertisements to the PVN

Advertisements in the commercial press may be briefer than the PVN, but **must** include: the college name/CUNY, the functional title, representative duties, the qualifications, the closing date, the name and address of the person to whom resumes should be sent, and the AFFIRMATIVE ACTION/EEO/ADA/IRCA tag line. Publication of position vacancies in the commercial press may **not** appear prior to the approval of the PVN by the University. The closing date in advertisements must conform with the one noted on the PVN. The college is obligated to accept applications, resumes, or other initial filing papers postmarked (or, if the college accepts resumes by fax, e-mail, or online, electronically dated) by the published closing date.

Changes to a PVN

Colleges may request to:

- **EXTEND** the closing date on an already announced posting for a minimum of two additional weeks. Such extensions must be posted anew and must be issued **prior to** the expiration of the initial posting. An extended posting may **not** incorporate any substantive changes to any items from the first posting and must follow the same rules as the initial posting.
- **REOPEN** a posting within one year of the initial posting. A reopened posting may include changes to some of the elements of the original PVN e.g., salary, functional title (provided there are no substantive changes in duties), or preferred qualifications or credentials. The college may consider the original pool of candidates along with applicants from the reopened posting. Reopened postings may not include major changes in the core functions of the job. When the college desires such changes, it must initiate a new search.
- **CANCEL** a PVN during the posting period. A re-issued PVN clearly marked **CANCELLED** will be posted until the original, now cancelled, closing date.

E. SUBSTITUTE APPOINTMENTS

Substitute status for short-term temporary or emergency appointments is appropriate. Substitute appointments may be for periods up to six months. Searches are not required to fill positions on a substitute basis. If it is necessary to fill a **vacancy** on a substitute basis, a search to fill the position permanently must begin as soon as possible, or at a minimum after the first year of appointment. A substitute appointment may not become a regular appointment, unless a search is completed and the incumbent substitute is the successful candidate.

⁸ There is one exception to the requirement that a college post only the minimum qualifications stipulated in the *Bylaws* as **required** qualifications. A College may advertise a position for a Higher Education Associate or a Higher Education Officer and require an advanced degree "as appropriate to perform the duties of a particular position." See *Bylaws*, Sections 11.16 and 11.17, as amended on October 25, 1999.

⁹ When a "recruitment/retention initiative" supplement is anticipated, prior approval to include it in the advertisement must be obtained from OFSR.

Guidelines Regarding Recruitment and Appointment to Higher Education Officer Series Positions (HEO Guidelines)

IV. COMPENSATION

Salary schedules and special compensation programs¹⁰ applicable to HEOs are included in the collective bargaining agreement and may not be modified for employees who are covered by the collective bargaining agreement.

The compensation system for HEOs nonetheless serves many purposes and provides the colleges with considerable flexibility in using the system to attract new talent, retain existing employees, acknowledge years of service, recognize excellence in performance, and compensate increased responsibilities. In exercising this discretion, the colleges must be vigilant in applying the requirements of the PSC/CUNY collective bargaining agreement, University policies, and good compensation practice.

The colleges have considerable discretion in determining compensation; all salary steps are regarded as appropriate within a HEO title. In making initial salary offers or pay changes, the college should consider the experience and expertise that the person brings to the particular position, the market for such skills (including his/her previous compensation), opportunities for advancing to higher steps in the pay structure, and the comparable pay of others in the organization performing work of similar value. Employers who ignore these factors are often faced with problems such as poor morale, excessive costs, difficulties in recruitment, and legal challenges to their fairness. The colleges must exercise prudent fiduciary management and comply with the law and applicable contractual constraints. OFSR is available to consult with colleges, when requested, regarding compensation models, comparability across colleges, and particular rates in specialized fields. All compensation decisions are subject to post-audit. The University will intervene in compensation determinations only in those situations in which actions taken by the college conflict with contracts, specific University policies, or applicable laws.

A. SALARY INCREASES BASED ON PERFORMANCE OR ADDITIONAL RESPONSIBILITIES

The colleges may from time to time recognize excellent performance or increased responsibility by granting a salary step increase. The purpose of such an increase is to relate the employee's compensation to the level of performance. When excellent performance has been sustained over a period of time, or additional responsibilities have been assumed (short of warranting reclassification), a salary step increase may be appropriate.¹¹ The college must notify OFSR of all such increases. Increases of three or more steps require the prior approval of OFSR.

In reviewing and approving these adjustments to compensation, the College HEO Committee should be guided by the following considerations:

One and Two Step Increases

The College HEO Committee must verify that the employee's evaluations support the recommended step increase, that the college has properly calculated the new pay step, and that the prospective effective date is in compliance with University practice.

Increases of Three or More Steps

In addition to the above, the College HEO Committee should consider the following:

- the employee's entire performance history and contributions to the college, including specifics about the extraordinary nature of the accomplishments;
- the salary history of the employee at the college, including all full-time appointments and any other increases which the employee has received;
- pre- and post- job descriptions which clearly identify the new job duties when those duties are a factor in the justification for the multiple step increase.

Increases of three or more steps may be considered only in cases of extraordinary performance and/or significant expansion of job responsibilities and require extensive justification.

B. FIVE-YEAR AND SEVEN-YEAR STEPS¹²

In rare and unusual circumstances, a college may wish to recommend a "special increment" involving the five-year or seven-year steps before the payment of the increment is otherwise due. In such circumstances, the following procedures must be followed:

- A cover letter, signed by the President, should be forwarded to the Vice Chancellor for Faculty and Staff Relations, requesting approval of the "early movement" to the five-year or seven-year step. The letter should include the name, the payroll title, the functional title, the department, the social security number, and the current salary of the candidate, the step being requested (*i.e.*, the five-year or seven-year step), the proposed effective date for payment of the early movement, the date on which payment of the step would otherwise be mandatory, and the special circumstances that formed the basis upon which early payment of the step is being recommended. The letter should also indicate that appropriate college review procedures have been followed and that the University's personnel practice and the University's Affirmative Action Policy have been considered.
- Upon review of the material submitted, OFSR will respond in writing.
- Requests that are approved will be effective not earlier than the first of the month following the meeting of the Board of Trustees at which the request is approved, except that requests approved at the September meeting may have a September 1 effective date.
- Colleges must enter approved requests on the Chancellor's/University Report, utilizing the appropriate code.

As noted earlier, a college may find it necessary to employ the five-year and seven-year steps in recruiting for particular positions. In such circumstances, when a candidate has been identified, the President must submit a letter to the Vice Chancellor similar to the letter used to request early movement to the five-year or seven-year step for incumbent employees. If the request is approved, the college

must enter it on the Chancellor's/University Report, subject to the University rules governing retroactivity for appointments.

C. OTHER COMPENSATION ISSUES

Payment Upon Reclassification to a Higher Title

Except in the case of a reclassification owing to a prospective introduction of new duties, reclassification of a position acknowledges that an employee has been performing higher level work than appropriate to the prior title. Nevertheless, if the salary range of the reclassified position overlaps the employee's current salary, there is no obligation on the part of the college to accompany a reclassification with a salary adjustment. The college may choose to offer an advancement of one or more steps at its discretion. Attention should be paid that such discretion is exercised in a consistent manner for persons similarly situated.

Frequency of Salary Adjustments

As a general rule, salary adjustments should be limited to not more than once a year.

Payment Upon Return of a Substitute to a Lower Title

When a substitute appointment to a higher title ends, pay increases associated with the special service in the higher title are not retained upon the return of the employee to the prior lower position.

Payment Upon Appointment to a HEO title from a Position with the Same Duties in the Research Foundation

Salaries in the Research Foundation are presumed to represent fair compensation for the duties performed. Mere movement from the Research Foundation to a position in the University performing the same or similar duties does not therefore warrant an increase. Eligibility for merit adjustments in the HEO series, once appointed, follow the same guidelines as for other employees.

Pay Upon Appointment to a Different College in the Same Title Performing Similar Work

In recruiting for positions, persons hired from a search who are currently performing the same tasks in the same title at a different college will now be afforded the same compensation opportunities as are afforded candidates from outside the University.

¹⁰ From time to time, the University may negotiate special compensation programs with the Professional Staff Congress/CUNY. Recent examples of such special programs are the Performance Excellence Awards and the Recruitment/Retention Initiative.

¹¹ See Section 22.5 of the PSC/CUNY collective bargaining agreement.

¹² The last two steps on the salary schedule are known as the five-year step and the seven-year step. The five-year step derives its name from the fact that, in general, an employee must serve five years on the step immediately preceding it (known as the last one-year step) before becoming eligible for the increment. Similarly, the seven-year step derives its name from the fact that an employee must, in general, serve two additional years, at the five-year step, before becoming eligible for it.

Guidelines Regarding Recruitment and Appointment to Higher Education Officer Series Positions (HEO Guidelines)

V. REVIEWS OF DELEGATED COLLEGE PERSONNEL ACTIONS

The University Personnel Office will conduct both periodic, routine reviews and specialized reviews of personnel actions delegated to the colleges by the Board, the Chancellor, and the Vice Chancellor. These reviews are intended primarily for the benefit of the colleges to identify areas in which college performance can be enhanced and safeguards strengthened.

A. ROUTINE REVIEWS

In conducting routine reviews, OFSR will identify on a random basis personnel actions for inspection. OFSR will ascertain whether the appointed individual met Board Bylaw qualifications, whether the appointment process conformed to these Guidelines and the University's Affirmative Action Policy, whether compensation was set consistent with contractual agreements and University policy, whether waivers, where required, were properly processed, whether background verifications were made, and so forth. If irregularities are found, OFSR may seek to correct specific actions or require submission of additional information to determine the extent of the problem.

Routine reviews will occur on a scheduled basis with adequate notification to the colleges. Reviews will be conducted using automated systems and paper records when possible. Other techniques, such as site visits, interviews, and desk audits, will be incorporated as appropriate to the review. Colleges will be consulted throughout the review and, upon conclusion, a meeting will be held to discuss the findings. The college will be afforded an opportunity to respond to drafts of any written report(s) before they are finalized.

It should also be noted that the new Office of Compliance and Diversity Programs, in concert with the University Affirmative Action Committee, will continue to conduct site visits to assess the success of the colleges' affirmative action programs.

B. SPECIAL REVIEWS

In addition to routine scheduled reviews, there may be a need to conduct other special reviews. Typically these reviews will result from a particular policy concern of the University or a concern regarding the administration of the HEO process at a particular college. The University, in conducting such reviews, will provide the colleges with as much advance notice as practicable and will permit the colleges an opportunity to comment on any findings and take corrective measures prior to any University action.

C. CORRECTIVE ACTION

In the unlikely event that a serious lapse in personnel administration is discovered, such information will be provided to the Vice Chancellor for appropriate action. Attempts will be made to keep corrective actions as unintrusive as possible, but violations of University policy and state law will be rectified.

Corrective actions, when warranted, may include:

- conducting more extensive and/or frequent reviews or investigations;
- establishing with the college new ground rules for future actions to prevent errors;
- mandating that the college take certain corrective actions;
- redcircling classifications and/or appointments;
- rescinding improper appointments, promotions, reclassifications, pay increases, etc.;
- referring issues of significance to Internal Audit;
- temporarily suspending a college's delegated authority; and
- revoking a college's delegated authority.

Guidelines Regarding Recruitment and Appointment to Higher Education Officer Series Positions (HEO Guidelines)

VI. ADDITIONAL CONSIDERATIONS

A. Policy Guidance

The following guidance is intended to be helpful to colleges in making decisions about appointments:

1. Required years of work experience as set forth in the *Bylaws* are interpreted to mean work related to the field in which the person is being employed. Part-time or unpaid, related work experience may be counted, if properly documented.
2. For HEO appointments, degree requirements need not be in a directly related field, unless the position is a highly technical one requiring a degree (e.g., a college attorney). The PVN must specify the required degrees and may specify a desired degree, but it may not be overly narrow if the position does not, in fact, require a specific degree.
3. A required degree must be conferred by the time the appointment is made. A college may require evidence of the degree at the time of application, so long as the same requirement is made of all applicants and all are made aware of the requirement in the PVN. If not required earlier, evidence that the employee holds the required degree must be presented to the designated college official at the time of appointment. Degrees from foreign institutions should be carefully reviewed. Neither degrees from non-accredited schools nor honorary degrees are acceptable in meeting degree requirements.
4. While there is no prohibition against a person serving in one HEO title from reporting to another HEO at the same rank, it is a questionable practice. Justification should be provided to the College HEO Committee, which must approve the arrangement.
5. Colleges are responsible for maintaining copies of applications for three years from the closing date on the PVN, in accordance with the University's record retention regulations.

B. The Chancellor's/University Reports

Pending actions are subject to removal from the Chancellor's/University Reports based on a recommendation by the University Personnel Director.

Guidelines Regarding Recruitment and Appointment to Higher Education Officer Series Positions (HEO Guidelines)

VII. THE COLLEGE HEO COMMITTEE

The College HEO Committee, whose members are named by the President, shall review and recommend to the President appointments, salary step increases, reclassifications, reorganizations, and such other personnel actions as may be appropriate for the non-teaching instructional staff, with the exception of CLT's. Colleges must notify OFSR in writing of the name and title of the Chair of the College HEO Committee.

It is recommended that the College Affirmative Action Officer and the Labor Designee be appointed to the committee in an ex officio capacity. Both of these officers have knowledge that can be useful to the committee as it conducts its review of proposals. The College Director of Human Resources must be an ex officio member of the committee, unless some other college official is charged by the President with managing the administrative processes involved with postings, appointments, and records retention. The College Director of Human Resources (or designated official) also serves as liaison to OFSR. Designation of someone other than the College Director of Human Resources should be made in writing to the University Personnel Director. In addition to the above, one member of the HEO Committee must be designated as the committee's secretary. The College Affirmative Action Officer, Labor Designee, and College Director of Human Resources may be either voting or non-voting members of the committee. All appointment papers (Form 218 or equivalent) must be signed by the College HEO Committee Chair, the Secretary of the College HEO Committee, and the College Affirmative Action Officer and retained by the college.

Revised January 10, 2000

Guidelines Regarding Recruitment and Appointment to Higher Education Officer Series Positions (HEO Guidelines)

APPENDIX A

Section 11.14. ASSISTANT TO HIGHER EDUCATION OFFICER

A. Position Definition:

An assistant to higher education officer shall, generally under the supervision of a higher education officer or university dean or college dean, perform such administrative duties as may be assigned to him/her.

B. Qualifications:

For appointment as an assistant to higher education officer, a candidate must have demonstrated satisfactory qualities of personality and character and ability to work with others for the good of the institution. He/she must show potential for significant achievement and growth. He/she must possess a baccalaureate degree.

Section 11.15. HIGHER EDUCATION ASSISTANT

A. Position Definition:

The duties of a higher education assistant are generally to serve as an assistant to one of the major educational officers of a college or the university with responsibility for a limited area of planning, research or professional and/or administrative duties as may be assigned.

B. Qualifications:

For appointment as higher education assistant, the candidate must have demonstrated satisfactory qualities of personality and character and ability to work with others for the good of the institution. He/she must have had at least four years of experience in one or more related areas and be sufficiently adaptable to apply such experience to the field in which his/her responsibility will lie. He/she must possess at least a baccalaureate degree and show definite potential for significant achievement and growth in the area to which he/she is assigned. An appropriate combination of education above the baccalaureate degree and demonstrable skills and/or years of experience may be substituted for the four years of experience in determining qualifications for the position of higher education assistant.

Section 11.16. HIGHER EDUCATION ASSOCIATE

A. Position Definition:

The duties of a higher education associate are:

- a. To serve as deputy for a higher education officer or
- a. To assume administrative responsibility, in most instances under the general supervision of a university or college dean for some major area of university or college activity, such as institutional research, campus planning and development, coordination of relations with community and civic groups, supervision and coordination of all educational data processing, coordination

- of applications to federal, state, and private foundations for educational grants, direction of specific specialized campus activities or
- a. To function as executive assistant to the chancellor or president or
- a. To develop some major aspect of new programs.

B. Qualifications:

For appointment as higher education associate, a candidate must have demonstrated satisfactory qualities of personality and character and ability to work with others for the good of the institution. He/she must have had at least six years of related experience. He/she must be sufficiently well versed in the overall functions of the university to be able to serve as deputy for a higher education officer, or to carry full responsibility, in most instances under the general supervision of a university or college dean for some major area of university or college activity. He/she must possess at least a baccalaureate degree and show evidence of exceptional achievement in his/her chosen field as well as potential for future growth. An advanced degree above the baccalaureate degree may be required as appropriate to perform the duties of a particular position. An appropriate combination of education above the baccalaureate degree and demonstrable skills and/or years of experience may be substituted for the six years of experience in determining qualifications for the position of higher education associate.

Section 11.17. HIGHER EDUCATION OFFICER.

A. Position Definition:

The duties of a higher education officer are:

- a. To assume full administrative responsibility for some major area of university or college activity, such as institutional research, campus planning and development, coordination of relations with community and civic groups, supervision and coordination of all educational data processing, coordination of applications to federal, state, and private foundations for educational grants, direction of specific specialized campus activities or
- a. To function as executive assistant to the chancellor or president or
- a. To develop some major aspect of new programs.

B. Qualifications:

For appointment as higher education officer, the candidate must have demonstrated satisfactory qualities of personality and character and ability to work with others for the good of the institution. He/she must have had at least eight years of related experience. He/she must be sufficiently well versed in the overall functions of a university to be able to assume full responsibility, answerable as a general rule to his/her college president (or to the chancellor, deputy chancellor or vice chancellor if he/she is assigned to a university position) for some major area of university or college activity. He/she must possess at least a baccalaureate degree and show evidence of exceptional achievement in his/her chosen field as well as potential for future growth. An advanced degree above the baccalaureate degree may be required as appropriate to perform the duties of a particular position. An appropriate combination of education above the baccalaureate degree and demonstrable skills and/or years of experience may be substituted for the eight years of experience in determining qualifications for the position of higher education officer.