

BERKELEY: Office of the Chancellor, December, 1976  
(Revised November, 1981)  
(Revised September, 1989)  
(Revised September, 1990)  
(Revised November, 1992)  
(Revised September, 1993)  
(Revised April, 2001)  
(Revised April, 2010)  
(Revised March 2011)  
(Revised June 2015)  
(Revised February 2021)

PROCEDURES FOR REVIEW OF LIBRARIAN  
APPOINTMENTS, PROMOTIONS, AND ADVANCEMENT

AND

ADMINISTRATIVE REVIEW PROCEDURES  
FOR LIBRARIANS REQUESTING  
A RECONSIDERATION OF A SALARY OR PROMOTION DECISION

I. OBJECTIVES

The review process is intended to ensure that professional as well as administrative considerations are taken into account in all matters of appointment, promotion, and merit increase within the Librarian series. The review process, therefore, requires, as specified below, a departmental evaluation and a peer review before final administrative decisions are made.

II. DEFINITION OF TERMS

A. Librarian Status

1. Potential career status: A librarian is in potential career status if their appointment has no specified date of termination, and the appointee is regarded as one who may qualify, after a suitable trial period and careful review, for a continuing career appointment.
2. Career status: A librarian normally achieves career status, also called “the status of career appointment,” only after successful completion of a suitable trial period in potential career status and positive review based on established criteria.

3. Temporary status: A librarian with temporary status has an appointment with a specified end date. Temporary appointees are not eligible for career status, but they are eligible for merit increases and promotion.

## B. Types of Actions

1. Appointment: An appointment occurs when an individual is employed in one of the three librarian ranks (Assistant Librarian, Associate Librarian, and Librarian) and when the individual's immediately previous status was:
  - a. not in the employ of the University (except in the case of an appointment specifically designated temporary<sup>1</sup>) or
  - b. in the employ of the University but not with a title in this series. (Transfers of academic staff from one position to another in the same title series with no change in rank, step or salary point are not reviewed, except when the transfer would be to a position which involves open recruitment.)
2. Career status: The action of awarding career status is normally only taken after successful completion of a suitable trial period in potential career status and positive review based on established criteria.
3. Merit increase: A merit increase is an advancement in salary following a positive review.
  - a. A "standard merit increase" is local Berkeley terminology referring to the minimum number of salary points awarded after a positive merit review, as defined by the current Agreement for the Professional Librarians Unit (LX) between the University of California and the American Federation of Teachers (the MOU). (The MOU effective October 1, 2013 defines the minimum as two salary points on the applicable scale for Assistant and Associate Librarian ranks, and three salary points on the applicable scale at the Librarian rank.)
  - b. A "greater than standard increase" is local Berkeley terminology referring to any number of salary points that exceeds the minimum (i.e., standard) salary points for a merit increase as defined in the MOU. In former Berkeley terminology, this would be considered a type of "accelerated advancement."
4. Promotion: A promotion is advancement to the next higher rank within this series (i.e., Assistant Librarian to Associate Librarian and Associate Librarian to Librarian). A change from a title in another series to a title in this series

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<sup>1</sup> A position filled on a temporary basis will, if converted to a permanent position, be filled by open recruitment. CAPA will be notified of any position being filled on a temporary basis.

(possibly involving an increase in salary) is not defined as a promotion or merit increase but as an appointment as described above.

5. No action: “No action” is a decision, made by the University’s deciding officer, not to grant a standard (or greater than standard) merit increase. A “no action” may be neutral and non-prejudicial for those at the top salary point of Associate Librarian or Librarian ranks; or it may be intended to address performance issues and the actions required to improve that performance for those at any step/salary point. A “no action” decision does not re-set the candidate’s review calendar. The University’s deciding officer, in exceptional cases, may grant a less than standard increase resulting in a one or two salary point advancement, yet the decision is still considered a “no action.”
6. Termination: Termination ends the employment of a librarian.

### C. Types of Reviews

1. With regard to the scheduling of reviews, review types are termed:
  - a. Standard review: A standard review is one that takes place every two years at the Assistant and Associate ranks and every three years at the Librarian rank.
  - b. Off-cycle review: An off-cycle review is one that takes place earlier than the standard review (two or three years). In former Berkeley terminology, this would be considered a type of “accelerated advancement.”
  - c. Deferred review: A deferred review is the omission of an academic review during a year when a review would normally take place.
2. With regard to the goals and potential outcomes of reviews, review types are termed:
  - a. Standard merit review: A standard merit review is local Berkeley terminology for a regularly scheduled review in which a standard merit increase (the minimum number of salary points) is sought and neither career status nor promotion is under consideration.
  - b. Merit review for a greater than standard increase: A merit review for a greater than standard increase is local Berkeley terminology for a review in which a librarian seeks, or the review initiator recommends, salary points in excess of the defined minimum for the librarian’s rank. In former Berkeley terminology, this would be considered a type of “accelerated advancement.”

- c. Career status review: A career status review is a review of a librarian in potential career status who is seeking career status. For Assistant Librarians, a career status review is always coupled with a promotion review. For Associate Librarians, a career status review may be coupled with a promotion review. A positive career status review is usually coupled with a merit increase.
- d. Promotion review: A promotion review is a review of a librarian seeking advancement to the next higher rank within this series. For Assistant Librarians in potential career status, a promotion review is always coupled with a career status review. For Associate Librarians, a promotion review may be coupled with a career status review. A positive promotion review is always coupled with a merit increase.
- e. Special review: A “special review” is local Berkeley terminology for a review in which no advancement is sought by the candidate. It fulfills the requirement that librarians undergo periodic review (i.e., standard review), but results in no merit-based salary advancement. (A salary increase may occur if there is a scale adjustment, or if the University’s deciding officer, in exceptional cases, grants a less than standard increase resulting in a one or two salary point advancement.)

#### D. Agents

- 1. University’s deciding officer: “University’s deciding officer” refers to the University Librarian in the case of librarians in The Library, or the Vice Provost for the Faculty in the case of Affiliated Library units. In older documentation, this person was referred to as the “appropriate administrator.”
- 2. Review initiator: “Review initiator” refers to one designated individual, usually the candidate’s immediate supervisor, who is responsible for preparing the candidate’s review packet and making a recommendation for a personnel action which will be included in the review packet.
- 3. Candidate: “Candidate” refers to the librarian under review.
- 4. CAPA: The Committee on Appointment, Promotion, and Advancement (“CAPA”) is the standing peer review committee of the Librarians Association of the University of California, Berkeley.
- 5. Ad hoc: “Ad hoc review committees” are additional committees appointed to review promotion and career status cases.

### III. POLICY:

It is the policy of the campus libraries to provide, through a fair, impartial, and appropriate system of review, that: (a) only librarians of demonstrated ability and achievement be employed, retained, and advanced, and (b) professional growth and accomplishment be rewarded and encouraged by merit increases and/or promotion.

#### A. Appointment Policy:

Present academic staff members shall be given careful consideration for any vacant position; however, the libraries maintain a policy of seeking qualified candidates for each position and recruiting librarians from outside the campus if such librarians are better qualified. Prior approval to recruit for a new or vacant position shall be obtained from the Vice Provost in accordance with the Academic Non-Senate Recruitment Policy, which provides prior consideration for librarians who have been laid off from any unit on the Berkeley campus.

#### B. Promotion and Merit Increase Policy:

1. Each librarian, whatever his/her area of activity, is eligible for merit increase and promotion through the ranks from Assistant Librarian to Librarian if he/she demonstrates professional growth and ability. A change in position need not be involved.
2. Promotions and merit increases shall be based upon a regular and continuing review and appraisal of the performance of each librarian. If a librarian's achievement does not demonstrate the necessary growth and development, he/she is not guaranteed promotion or advancement. Conversely, outstanding achievement is grounds for accelerated advancement by means of an off-cycle review or merit review for a greater than standard increase.

### IV. RESPONSIBILITY FOR THE REVIEW PROCESS

- A. The Executive Committee of the Librarians Association of the University of California, Berkeley (LAUC-B), has jurisdiction within LAUC-B in all matters of policy governing the appointment, promotion, and merit increase review procedures, and shall make recommendations thereon to the University's deciding officer. Additionally, the Executive Committee shall be consulted when general matters of interpretation of these guidelines arise and shall make recommendations to the University's deciding officer.
- B. Review and recommendations for individual cases of appointment, promotion, merit increase, and establishment of career status shall be implemented by committees of two types.

## 1. CAPA

### a. Membership

As stipulated by the MOU, local campus procedures shall provide for the selection of members of a review committee to advise the designated University official (i.e., University's deciding officer) on the merit increases, promotions, and career status actions for members of the Librarian series. Appointees holding titles in the series shall comprise the majority of this committee.

CAPA is a standing committee of the Librarians Association of the University of California, Berkeley. It shall consist of seven librarians holding career status with the rank of Associate Librarian or Librarian who are appointed by the Executive Committee to terms of three years each. Five of these shall be librarians from The Library and two from Affiliated Library units. Appointments shall be staggered so that no more than three new appointments (except replacement for unexpired terms) are made in one year. No librarian shall have a second term on CAPA until three years have elapsed since the end of his/her last term of office. The names of the appointees to CAPA shall be published.

### b. Duties

- i. reviewing appointments to the Librarian series with recommendation to the University's deciding officer;
- ii. providing nominations to the University's deciding officer who shall appoint members of all ad hoc review committees; if there is a difference of opinion about the composition of the ad hoc committee, the University's deciding officer shall consult with CAPA. The administrator may delegate to CAPA that authority to appoint if he/she deems it appropriate;
- iii. requesting additional documentation as needed for the ad hoc review committees, and assisting these committees where needed; procedures for requesting additional documentation shall be worked out with the University Librarian for The Library, or with the Vice Provost for Affiliated Library units;
- iv. conducting all merit increase reviews; assessing parity and equity by:
  - 1) reviewing all recommendations including recommendations of the ad hoc review committees;

2) consulting with the University Librarian in the case of The Library or the Vice Provost in the case of the Affiliated Library units about specific appointment and review cases.

CAPA shall guard the confidentiality of individual review cases.

2. Promotion and/or career-status ad hoc review committees

a. Membership

The ad hoc review committees shall consist of three members holding career status in the Librarian series.

Upon nominations provided by CAPA, ad hoc review committees shall be appointed by the University Librarian to review The Library cases and the Affiliated Library cases. The ad hoc review committee for promotion to Librarian shall consist of at least two members holding the rank of Librarian. In all cases, when possible at least one member shall have direct knowledge of the candidate's duties and responsibilities.

For review of a librarian in The Library, at least two members shall be from The Library. Names of members of the ad hoc review committees shall be known only to CAPA, the University Librarian, and the Library Human Resources Director.

For review of a Librarian in an Affiliated Library unit, two committee members shall be from Affiliated Library units. Names of members of these committees shall be known only to CAPA, the Vice Provost, the University Librarian, and the Library Human Resources Director.

If the stipulated ratio of Library and Affiliated Library committee members cannot be met after reasonable attempts, then this requirement may be waived. In these cases, at least one member shall be from The Library and at least one member shall be from the Affiliated Library units.

b. Duties

Ad hoc review committees will:

- (i) consider one or more promotion and/or career-status cases, and
- (ii) prepare reports and recommendations, after which the committee shall be dissolved.

Absolute confidentiality must be observed by review committees and their individual members.

## V. APPOINTMENT REVIEW

### A. Criteria:

1. A candidate for appointment shall have a professional background of competence, knowledge, and experience to assure suitability for appointment to this series. Such background will normally include a professional degree from a library school with a program accredited by the American Library Association (ALA, such degree an “MLS”). However, a person with other appropriate degree(s) or equivalent experience in one or more fields relevant to library services may also be appointed to this series.
2. If a candidate without an MLS is to be appointed to this series, Berkeley procedures require that the appointment be justified on the following grounds:
  - a. the work they are assigned to perform in the library system will be such as is generally classified as librarian’s work; and
  - b. they possess an advanced degree directly relevant to the management of library research collections and resources; and
  - c. no candidates with MLS degrees are available who are as qualified for the position.
3. In addition to a graduate degree in librarianship or accepted equivalent degree, an entering librarian may be required to possess competence in a specialized field as demonstrated by an additional advanced degree or experience in that field.
4. Appointment to the rank of Assistant Librarian is based upon the requirements of the position with due attention to the candidate’s demonstrated competence, knowledge, and experience. A person appointed as Assistant Librarian without previous professional library experience should normally be appointed at the first salary point. A person who has had previous experience relevant to the position may be appointed to one of the higher salary points in this rank, depending on the candidate’s aptitude, the extent of prior experience, and/or the requirements of the position. A candidate with extensive previous relevant experience and superior qualifications may be appointed to one of the two higher ranks in the series.



B. Procedures:

1. Appointments are made by the University's deciding officer in consultation with the Division, Department, or Unit Head concerned.
  - a. Documentation relating to prospective appointments (e.g., the position posting) is reviewed by CAPA.
    - i. CAPA shall assess whether the position described is appropriate for the Librarian series.
    - ii. CAPA shall assess whether the posted rank and salary range are commensurate with the required or desired qualifications.
    - iii. CAPA shall confirm the presence of the stated qualification: "American Library Association (ALA)-accredited masters degree or equivalent degree."
  - b. When a candidate for a position in the Librarian series is being considered and is available for interview, CAPA will be given the opportunity to interview the individual. CAPA will then submit a written assessment of the candidate to the appropriate administrative officer(s) (e.g., for Library positions, the Library Human Resources Department (LHRD) and the search committee chair).
  - c. Final authority for all academic appointments rests with the University's deciding officer.
2. If CAPA determines that a candidate lacks an ALA-accredited MLS or acceptable degree relevant to the administration of library research collections, CAPA shall note this determination in its written assessment.
3. For appointment cases in The Library, CAPA and the Division, Department, or Unit Head shall be notified of the decision by the University Librarian.
4. For appointment cases in Affiliated Library units, CAPA and the Dean or other appropriate administrative officer shall be notified of the decision by the Vice Provost.

## VI. MERIT INCREASE, PROMOTION, CAREER STATUS AND SPECIAL REVIEW

A. Criteria:

1. A candidate for merit increase, promotion, or career status shall be judged on the basis of the first of the following criteria, and, to the extent they are relevant, on one or more of the last three:

- a. professional competence and quality of service within the library;
- b. professional activity outside the library;
- c. University and public service;
- d. research and other creative activity.

An explanation of these criteria is set forth in the Academic Personnel Manual (APM), section 210-4-e(3) and in the MOU.

Reasonable flexibility shall be exercised in weighing the comparative relevance of the latter three criteria. Specific directions for the development of a self-evaluation may be found in the document titled, Guidelines for Preparing Self-Evaluations: <http://www.lib.berkeley.edu/LHRD/revself.html>.

2. Demonstrated superior professional ability is an indispensable qualification for promotion to the ranks of Associate Librarian and Librarian. Promotion is justified by demonstrated superior professional skills and achievement and, in addition, demonstrated professional growth and accomplishment and/or the assumption of increased responsibility.
3. In addition to the evaluation based on the academic and professional criteria described above, librarians who have management and/or supervisory responsibilities will be judged on their ability to plan and maintain a well-organized, efficient department or unit, deal effectively with personnel needs and performance management issues, and offer leadership in the area of staff development.
4. One factor which will be considered in assessing the professional competence and judgment of individuals involved in the peer review process is their effectiveness in preparing and submitting documentation required as part of this process.

## B. Schedule of Reviews

The performance of each appointee shall be reviewed periodically and the review shall include participation by a review committee (i.e., CAPA).

### 1. Normal Intervals, Extensions, and Exceptions

A standard review is one that takes place every two years at the Assistant and Associate ranks and every three years at the Librarian rank. Service at the top of the Associate Librarian or Librarian ranks may be of indefinite duration, therefore, an abbreviated review may be conducted every two years for

Associate or three years for Librarian (i.e., a review must be conducted according to the stated schedule, but the review may be brief if the candidate is at the top salary point).

- a. At any time, a librarian or his/her division head, department head or review initiator may initiate a request for review ahead of the normally scheduled review period unless restricted by the MOU currently in effect.
- b. All candidates shall be reviewed as scheduled, as required by APM, section 360-80-a(2)(a) and the MOU, except when a request for deferral has been granted, as permitted by APM, section 360-80-a(2)(c) and the MOU. In the event that a candidate fails to supply the review initiator with a self-evaluation by the timetable deadline (or fails to have been granted an extension of the submission date as allowed by local guidelines), the review initiator will complete his/her review and forward the review dossier without the candidate's documentation, in adherence to the normal timetable. The review initiator will discuss this evaluation with the candidate following normal procedures. The candidate's next review will be at the usual interval for the individual's rank, unless an off-cycle review is requested.
- c. All participants in the review process, including the candidate, the review initiator, division or department head, administrative reviewer, et al., are expected to adhere to the Timetable for Academic Librarian Promotion/Career Status/Merit/Special Reviews. Extensions of the Timetable will only be granted under unusual circumstances. Although the Timetable lists a number of deadlines for gathering documentation, these guidelines concern the final deadline (date when formal recommendation for merit or promotion is due in the LHRD or the Academic Personnel Office).

An extension of the Timetable will only be granted when a participant encounters unusual circumstances, such as health or family issues, or sudden loss of a key employee that results in a significant increase in job duties, or is faced with an exceptional work circumstance, such as a major move to a library or assumption of a new primary job assignment. The extension request must include a signed explanation of why the participant is unable to comply with the existing timetable, and this will be submitted as part of the candidate's file.

The request for extension should be directed to the next person in the review process (e.g., a candidate's request should be submitted to the review initiator; the review initiator's request should be submitted to the division or department head, AUL, UL, Dean or Vice Provost, as appropriate; if an AUL or Dean needs an extension, he or she should apply to the University Librarian or Vice Provost, as appropriate). This request

should be made as early as possible in the review cycle. Authorization for extension must be secured no later than three weeks before the final deadline. The individual granting the extension must notify LHRD or the Academic Personnel Office promptly. These two offices will keep track of the flow of documentation (including extension requests) and will provide CAPA or other participants in the review process with information regarding the status of the candidate's file upon request.

If a candidate fails, by two weeks before the final deadline, to provide the review initiator with a self-evaluation or to secure an extension, the review initiator will complete his/her review and forward the review dossier as usual. The maximum extension past the final deadline is thirty days.

- d. In the event that a librarian at any rank has been denied a standard merit advancement, that denial is termed a "no action" decision.
  - i. Following a "no action" decision, the candidate or review initiator may request a review as early as the next year. That review shall cover the period since the last advancement in which a standard merit increase or greater than standard increase was awarded. The review shall not be considered to be off-cycle.
  - ii. If the University's deciding officer has awarded a less than standard merit increase, this is still considered a "no action" decision. The candidate or review initiator may request a review as early as the next year. That review shall cover the period since the last advancement in which a standard merit increase or greater than standard increase was awarded. The review shall not be considered to be off-cycle.
- e. In the event that a librarian at any rank is advanced outside of the normal process (for example, where a candidate receives an advancement in rank and/or salary point without going through a review), the review clock is reset. The next review shall cover the period since this advancement. This will result in the librarian's review interval being longer than the standard two or three year interval. If a review is requested earlier than the normal interval since the last advancement it shall be considered off-cycle. This does not govern the review schedule after an off-cycle or deferred review (addressed elsewhere in these Procedures).
- f. In the event that a librarian seeks a special review (i.e., does not seek advancement in a review cycle), the review clock is reset. If a subsequent review is sought earlier than the normal interval, that review shall be considered an off-cycle review. However, the period under review shall be the period since the last advancement in which a standard merit increase or greater than standard increases was awarded. (See Periods under Review.)

## 2. Deferred Reviews

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 which can only be initiated with the written agreement of the candidate.

- a. 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 recommendations to the designated University official.
- b. When a deferral takes place, the review is deferred for one year whether a person's review cycle is normally two or three years. Hence, deferral for an additional, consecutive year should be regarded as a new request and thus subject to the same procedure. After the completion of a review which has been deferred, the review cycle will resume anew at the two or three year interval.

## 3. Schedule Considerations Specific to Promotion and/or Career Status Reviews

- a. **Assistant Librarian.** An individual holding the rank of Assistant Librarian whose appointment is not explicitly temporary is considered to be in potential career status for the period of the appointment in this rank (i.e., no Assistant Librarians have career status.)

During potential career status, the individual shall be subject to periodic reviews (i.e., standard reviews) of performance, professional competence, achievement, and potential for further professional growth.

If, after such reviews, the appointee is promoted from the rank of Assistant Librarian to a higher rank in this series, the individual is thereby moved to career status. On the other hand, an Assistant Librarian is subject to termination after due notice if, after thorough review and a reasonable trial period (not more than six years), he or she is not deemed worthy of further advancement.

Individuals with six years of service at the Assistant Librarian rank are eligible for a promotion review even if they have not achieved a salary that overlaps with the Associate Librarian rank.

Berkeley interpretation of the six year provision is that Assistant Librarians under review during their sixth year of service (i.e., after five years of service) are eligible for promotion even if they have not achieved a salary that overlaps with the Associate Librarian rank, because they may not spend more than six years in potential career status.

In summary, career status and promotion are linked at the Assistant Librarian rank. Assistant Librarians in potential career status may spend up to six years in the rank. They may receive a career status and promotion review as early as the second year of their appointment if they are at a salary point that overlaps with the Associate Librarian rank. If Assistant Librarians are appointed at a salary point that does not overlap with the next rank, they remain in potential career status at least until the first review after attaining an overlapping salary point, or during their sixth year of service at the Assistant Librarian rank. Upon review during their sixth year of service, one of the following decisions must result:

- i. promote to the rank of Associate Librarian with career status; or
- ii. terminate the appointment after due notice.

Assistant Librarians with temporary appointments may be promoted to Associate Librarian without receiving career status, which they are not eligible to receive.

- b. **Associate Librarian.** An individual whose initial appointment in this series is to the rank of Associate Librarian and whose appointment is not explicitly temporary is considered to be in potential career status for a trial period of not more than four years and not less than two years in the rank, unless promoted sooner to the rank of Librarian.

During potential career status, the individual shall be subject to periodic review (i.e., standard reviews) of performance, professional competence, achievement, and potential for further professional growth.

The first review shall take place in the course of the second year of employment in potential career status, or immediately thereafter.

The trial period will be brought to a close with one of three decisions made after appropriate review:

- i. place the appointee in career status with the rank of Associate Librarian;
- ii. promote to the rank of Librarian with career status; or
- iii. terminate the appointment after due notice.

Associate Librarians may be reviewed for promotion after they have attained a salary point that overlaps with the next rank.

Associate Librarians with temporary appointments may be promoted to Librarian without receiving career status, which they are not eligible to receive.

- c. **Librarian.** An individual whose initial appointment in this series is to the rank of Librarian and whose appointment is not explicitly temporary is considered to be a potential career appointee for a trial period of not more than three years and not less than two years in rank.

During potential career status, the individual shall be subject to periodic reviews (i.e., standard review) of performance, professional competence, achievement, and potential for further professional growth.

The first review shall take place in the course of the third year of employment and must be a career status review, or immediately thereafter.

The trial period will be brought to a close with one of two decisions made after appropriate review:

- i. place the appointee in career status with the rank of Librarian; or
- ii. terminate the appointment after due notice.

#### C. Periods Under Review

1. Periods under review coincide with calendar years (January-December).
2. The period under review begins in January of the calendar year of the librarian's last standard merit increase or greater than standard increase, not the last review.
3. For merit reviews, periods under review are determined by the normal periods of service defined in APM, section 360-80-a(2)(a), the MOU, and also described in section VI.B.1, above.
4. Promotion reviews and career status reviews encompass the entire professional career of the candidate with emphasis on the most recent period of service.
5. For special reviews in which no advancement is sought the period under review is the period since the last review.
6. For merit reviews of candidates who previously underwent special reviews for the preceding review period(s), the current review is a merit review and therefore the period under review begins in January of the calendar year of the

librarian's last standard merit increase or greater than standard increase, not the last review.

#### D. Procedures

1. All librarians will be informed in writing, on a yearly basis, of their eligibility for review. The University shall inform candidates about the review process and the criteria to be used.
2. The call for merit increases, promotions, reviews, and career status actions and the calendar of action due dates for the review process shall be issued and distributed each year to every member of the librarian series. The calendar shall establish deadlines that are designed to ensure that all reviews will be completed and salary actions can be processed to take effect at the start of the next fiscal year. The calendar shall be adhered to by all parties. Deadlines may be extended upon the mutual agreement of the parties. (For Berkeley procedures regarding extensions, see VI.B.1.c.)

Berkeley procedure is to distribute this information to every member of the Librarian series no later than thirty days prior to the first required action following issuance of the call. The librarian shall be notified of the decision normally within nine months of the first required action.

3. A librarian who is not normally eligible for a review during a particular review cycle may request an off-cycle (accelerated) review during that cycle, unless prohibited by the MOU currently in effect. The decision regarding the librarian's request shall be made in accordance with campus guidelines.
4. There shall be one designated review initiator for a candidate, who shall make a recommendation for a personnel action which will be included in the review packet. Comments prepared by persons at higher levels of supervision (e.g., division heads, department heads, section heads, Assistant/Associate University Librarians) may be included in the academic review file.
5. The candidate shall be given the opportunity to ask questions and to supply information and evidence to be evaluated in the review according to the calendar established in the call.
6. The University may solicit letters evaluating the candidate from qualified persons, including a reasonable number of persons whose names have been provided by the candidate.
  - a. The candidate may provide in writing to the review initiator, or other appropriate person, names of persons who in the view of the candidate, for reasons provided by the candidate, might not objectively evaluate in a letter or on a committee the candidate's qualifications or performance.



Any such statement provided by the candidate shall be included in the academic review file. The University decision regarding the requested disqualification shall not be subject to grievance and arbitration.

- b. In soliciting letters of evaluation or following the receipt of an unsolicited letter related to the review, the University may send a statement regarding confidentiality of such letters. (Berkeley procedures require that the University shall include, attach, or send a statement regarding confidentiality of such letters.)
  - c. All such letters used in the review, even if unsolicited, shall be included in the file.
  - d. Redacted copies of solicited letters shall be provided to the candidate upon receipt.
  - e. Unsolicited letters related to the review will be subject to redaction, if received by the University with the understanding that the identity of the author will be held in confidence to the extent permissible by law. Redacted copies of such letters will be provided to the candidate.
7. An academic review file shall be prepared for each candidate who is being considered for a merit increase, promotion, or career status action. The review initiator is responsible for preparing the candidate's review file, which consists of the review initiator's letter of recommendation together with pertinent additional letters, if any, including those letters solicited from individuals, as provided for above, and required documents.
8. The review initiator's recommendation, without disclosing the identities of sources of confidential documents, shall discuss the proposed personnel action in light of the criteria and substantiated by supporting evidence contained in the file. The recommendation shall provide a comprehensive assessment of the candidate's performance, together with detailed evidence to support the evaluation. The recommendation may also present a report of consultation with appropriate members of the professional library staff and others in a position to evaluate performance and may include any dissenting opinions.
9. The review initiator's final recommendation shall be provided to the candidate, along with all documents to be included in the academic review file. The candidate must be allowed a reasonable period of time, seven consecutive calendar days, to review and respond to the file. By mutual agreement of the parties, this period of time may be extended. The candidate may submit for inclusion in the record a written statement in response to or commenting upon material in the file.

10. Upon completion of the procedures described above, a Certification Statement shall be signed by the candidate certifying that the prescribed procedures have been followed. A Documentation Checklist listing the contents of the academic review file shall also be signed by the candidate. The Certification Statement and the Documentation Checklist shall be included in the academic review file.
11. Berkeley procedure requires that an ad hoc review committee be formed for promotion and/or career-status cases. This anonymous committee shall review the academic review file and prepare a report and recommendation that will be received and considered by CAPA and the University's deciding officer.
12. Decisions and recommendations of the review committee(s) shall be based solely upon material within the academic review file.
13. If during subsequent review the academic review file is found to be incomplete or inadequate, additional information may be solicited through the designated University official who will inform the candidate that such new material is being added to the review file. The candidate shall have access to all non-confidential material added to the file. A redacted copy of the confidential documents shall be provided to the candidate. The candidate shall also be provided the opportunity to submit a written statement in response to the additions to the review file, which shall become part of the file. The review shall then be based upon the academic review file as augmented.
14. No documentation other than the recommendation(s) of the review committee(s) may be added to the review file without annotation of the Certification Statement and the Documentation Checklist.
15. The review file shall be referred to a review committee (i.e., CAPA, at Berkeley). On the basis of all evidence in the review file, including the report from an ad hoc review committee, if any, the review committee will submit a comprehensive report and recommendation for action to the designated University official.
  - a. In conducting its review and arriving at its recommendation concerning a candidate, each review committee shall be guided by the criteria.
  - b. The report(s) of the review committee(s) shall be submitted to the University's deciding officer.
  - c. The deliberations and recommendations of the review committee(s) are to be strictly confidential.

- d. A person shall disqualify himself/herself if s/he questions his/her ability to make a fair and objective judgment in a particular case or in the case of a possible conflict of interest.
  - e. CAPA, in making a recommendation to the University's deciding officer, may either concur or disagree with the candidate's request or review initiator's recommendation. CAPA's recommendation may be for a standard merit increase, a greater than standard increase, or "no action" (i.e., denial of merit increase).
  - f. CAPA should never recommend an increase that is less than the standard merit increase on the applicable scale. An award of salary points below the standard stipulated for positive reviews may be made by the University's deciding officer in exceptional cases, but these exceptions apply to "no action" decisions. They do not apply to positive reviews.
16. In cases of promotion, conferral of career status, or recommendation for termination of appointment, if the preliminary assessment of the University's deciding officer is contrary to the recommendations of the review committee (i.e., CAPA), the University's deciding officer shall notify that committee with respect to the assessment. The review committee shall be given the opportunity for further comment before the final decision is made.
17. The designated University official shall inform the candidate in writing of the final administrative decision including the reasons for his/her decision. The candidate shall receive a copy of the review committee and any redacted ad hoc committee reports. Such a statement shall not disclose the identities of persons who were sources of confidential documents.
18. A librarian who feels aggrieved by a decision concerning salary or promotion may petition for reconsideration, following the Administrative Review Procedures for Librarians Requesting a Reconsideration of a Salary or Promotion Decision, at the end of this document. (Note that a petition for reconsideration is not a formal grievance. Formal grievance procedures are beyond the scope of this document and beyond the jurisdiction of LAUC-B. Librarians must consult the APM and the MOU.)
19. If the University's deciding officer's preliminary assessment is to terminate the appointment or not to confer career status, the candidate shall be notified of the opportunity to request access to records in the academic review file, subject to provisions regarding personnel files in the current MOU. The candidate and review initiator shall then have the opportunity to respond in writing and to provide additional information and documentation.
20. An arbitrator shall have the authority to determine whether the University has violated a procedure set forth herein. However, in any grievance alleging a

violation of the procedures outlined in the MOU, the arbitrator shall not have the authority to review any decision to

- a. Initiate an academic review;
- b. Award or deny a merit increase;
- c. Award or deny a promotion;
- d. Award or withhold career status; and/or
- e. Terminate a librarian following academic review.

If the arbitrator finds that the alleged violation had a material, negative impact on the outcome of the review, the arbitrator's remedy shall be limited to directing the University to repeat, to the extent practicable, the review process from the point at which the violation occurred.

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## ADMINISTRATIVE REVIEW PROCEDURES FOR LIBRARIANS REQUESTING A RECONSIDERATION OF A SALARY OR PROMOTION DECISION

### I. OBJECTIVE

A librarian who feels aggrieved by a decision concerning salary or promotion may petition for reconsideration.

### II. PROCEDURES

- A. Prior to the submission of a formal petition, the petitioner may elect to discuss the decision informally with the petitioner's supervisor or, in the case of The Library, with the University Librarian or, in the case of Affiliated Library units, with the Dean or Director.
- B. The formal petition, which is to be submitted subsequent to the informal discussion if the petitioner elects to have one, shall be a written statement that contains all of the reasons supporting the merits for reconsideration and shall have attached to it any new submission that the petitioner wishes to have reviewed. The formal petition shall include, but need not be limited to, the issues presented by the decision letter from the designated University official as specified in section VI.D.17 above, of Procedures for Review of Librarian Appointments, Promotions, and Advancement.

- C. The formal petition for reconsideration shall be submitted within 60 calendar days from the date that the petitioner was informed of the action giving rise to the petition.
- D. The formal petition shall be forwarded, through proper administrative channels, to the University Librarian or, for Affiliated Library units, to the Vice Provost's office.
- E. The University Librarian or the Vice Provost's office shall forward the petition to CAPA, which shall make written comments and recommendations on the matters in the petition and shall return the petition, all supporting documents, and the written comments and recommendations to the University Librarian or, for Affiliated Library units, to the Vice Provost's office.
- F. The University Librarian or, in the case of Affiliated Library units, the Dean or other appropriate administrative officer(s) shall make written comments and recommendations on the matters in the petition and forward the complete dossier to the Vice Provost.
- G. The Vice Provost shall decide the petition for reconsideration on the written record unless the Vice Provost's inspection of the record gives substantial cause to believe that an oral presentation is necessary. It is not contemplated that an oral presentation will be necessary in most instances.
- H. The Vice Provost shall inform the petitioner by letter of the decision made on the petition within a reasonable length of time (not to exceed six months) after the petition was submitted.