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To: Academic Deans and Directors of Faculty Members in United Academics

From: Beth Behner, Director  
 Statewide Office of Labor and Employee Relations

Re: Retention Offer Criteria

I am writing to remind UA administrators about the University's guidelines and processes concerning retention offer for faculty represented by United Academics. The criteria set forth below were initially contained in a communication from former Labor Relations Director Mike Hostina to deans and directors in 1999. The same criteria have been utilized in the retention offer process with the union's awareness since that time. The collective bargaining agreement (CBA) in effect January 1, 2004 through December 31, 2006, continues to provide for retention offers, which are adjustments to the base salaries of unit members. During negotiations that led to the 2003-2006 CBA, the parties specifically discussed the continuation of the same process for retention offers that has been utilized under the former CBAs.

There is no requirement that a unit member have an actual "offer in hand" before being awarded a retention offer. However, a bonafide retention risk must be presented before the University grants a retention offer increase to a unit member. You may forward a request for consideration of a retention offer when there are bonafide and documentable factors indicating a risk that a particular faculty member could leave University employment. While a documented offer of other employment is not necessary, it is acceptable documentation. Other risk factors that you may be able to document, include but are not limited to:

- Active job search
- Interest expressed by other employers
- Demand for persons in the field
- Opportunities for professional growth elsewhere
- Opportunities for/ties of other family members in this or other communities
- The faculty member's sensitivity to salary as an indicator of worth
- Non-faculty opportunities in the community
- Impact of financial rewards available in faculty member's field
- Strength of financial and non-financial ties to this or other communities
- Strength of relationship with other members of the university community or other potential communities

- Stature/recognition in field
- Mobility of field
- Impact of the loss of the faculty member on the program
- Other factors affecting willingness/ability of faculty member to change employers and/or relocate

In some cases, documentation of a single risk factor will be sufficient. In others, a combination of factors is advisable to document a good faith belief that retention is an issue. Factors indicating a reduced risk that an employee will leave university employment if a retention offer is given should also be considered and documented. Please note that documentation of risk factors may, but does not necessarily, consist of documents from third parties. Recitation of personal knowledge may be sufficient.

If you wish to make a retention offer, please forward a draft memo to your provost, copied to labor relations, that:

1. documents the retention risk for that faculty member, including his/her active job search and/or his/her viability for other positions;
2. attaches information regarding the positions for which the faculty member may be a viable candidate;
3. provides the reasons why the faculty member should be retained -- i.e. his/her value to the university/impact of loss, and
4. explains whether you anticipate other requests from or believe there are justifications applicable to equally qualified individuals.

Following review and any feedback, the memo can be finalized for approval by the provost and Labor and Employee Relations.

Please note that retention offers will be reviewed and approved based on factors as described above. Retention offer requests that are not based on retention risks but instead assert justifications based on market, cost of living, or merit considerations will not be approved. Thus you should not advocate from the perspective of awarding any adjustments based upon those specific factors. Market data, however, could help support the validity of a particular salary range, once the reasons for a retention offer are found to be justified.

Let me know if you have questions.

cc: United Academics