

10-4-2017

## Faculty Affairs Committee Minutes of the Academic Senate 2017-10-04

University of Dayton. Faculty Affairs Committee

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Oct 4, 2017

Faculty Affairs Committee (FAC)

Minutes

Present: Andrea Seielstad (Chair), Maher Qumsiyeh, Laura Leming, Rebecca Wells, Corinne Daprano, Caroline Merithew, Mary Ellen Dillon, Deo Eustace, Kathy Webb, Carolyn Phelps (Ex Officio)

Absent: Paul Vanderburgh, Kevin Kelly

1. Approval of Sept. 27, 2017 minutes: One minor correction was suggested which had to do with grammar.
2. Discussion of 100% Policy
  - a. Andrea introduced issues
    - i. Conflict of Commitment
    - ii. Conflict of Interest
    - iii. There's still an issue of when this policy came into effect
    - iv. Last year an attempt was made by a subcommittee of FAC to work out an alternative set of principles. This work included questions of Outside Employment Policy as well. A summary of those principles related to additional university services was handed out in a document called "Guidelines Governing Additional University Service")
    - v. The Provost's guidelines prepared over the past summer were also circulated and discussed.
    - vi. Both sets of approaches are attached to these minutes.

b. Discussion

Some fellowships cannot compensate over 100% -- Vice President for Research asked for these rules to be put in place because of Federal law policies about this.

There are also questions of overload compensation that involves extra courses (which are compensated except for chairs who are never compensated for extra classes). Service is not compensated over 100% nor is scholarship. Those on 12 mos. contracts cannot get CAP development grants either.

It is important to separate *compensation* from *workload* and *management of time* and resources.

Is there any way that we can do something like we do with maternity leave in terms of information collection? Are we tracking how often this is an issue?

It would be helpful to know how widespread of an issue this is. Even if we each get information from our units.

--This has become a big issue in Engineering. There are issues involving grants (external and internal). There was also an issue of tracking.

One of the concerns, is it puts chairs in difficult conversations with their faculty and tough decisions. There is the issue of research as well as FT Tenure Track teaching more summer classes because they were pulling the seniority card. (That's a different issue, it was decided)

C. Becky Wells offered a document that responded to recent initiatives for the University for the Common Good that would have an impact on workload, compensation, and outside employment.

#### Discussion

Some of the examples discussed weren't part of extra work – it's part of the job

Example of the Law school. There were required curricular changes and development of new courses. A previous Dean of the Law School offered extra compensation. Subsequent deans and increased budgetary issues created different approaches. We need to acknowledge the workload issues as we move into the future and respond to the new initiatives.

The 100% does not prevent people from getting paid extra. Still, it was said that this policy was not logically or necessarily linked to the stated goals of (1) ensuring faculty comply with their workloads and (2) ensuring equity in the distribution between faculty of additionally compensated projects. There are other ways of doing that without imposing a 100 percent approach; and, conversely, the 100 percent policy does not necessarily ensure that the goals will be met. Faculty can still exceed workloads by doing uncompensated work, and that distribution may be inequitable.

The policy may shape the quality of teaching assignments and the offering of summer programs, i.e., by hiring outside adjuncts or canceling courses altogether instead of compensating full-time faculty who may have reached their 100 percent cap.

There are a variety of extra things people do for additional pay that might add up to more than 100%, including but not limited to seed grants, summer or additional teaching, faculty development grants, chapel banners project, preparation of online course materials or new courses, etc.

## APPENDIX A – [DRAFT] GUIDELINES GOVERNING ADDITIONAL UNIVERSITY SERVICE:

From time to time, faculty may be called upon to perform services additional to those of their normal workload. This may occur in summer for those with 9 or 10.5 month contracts, and it may occur during the contracted portion of the year for any faculty member when performing services over and above their workload. Examples include, teaching for summer offerings and programs, substitutions for other faculty rendered unable to fulfill teaching obligations or other department or unit teaching needs, grants, awards, and/or professional development stipends, among others. Faculty should be compensated either through course reductions or salary for work performed in addition to their normal workloads.

In addition the following guidelines will be applied to determinations of whether to assign additional university services to full-time tenured, tenure-track and non-tenure track faculty and instructional staff:

1. A "conflict of commitment" exists when the activities of a faculty member are so substantial or demanding of the faculty member's time and attention as to interfere with the individual's responsibilities to the unit to which the individual is assigned, to students, or to the University.
2. A "conflict of interest" exists when a faculty member's activities actually or merely appear to directly or indirectly affect his or her professional judgment in the execution of any University duty or responsibility<sup>1</sup>.

A full-time faculty member may not engage in any additional activity which creates a conflict of interest or conflict of commitment on the part of that faculty member.

Time spent on additional activities is in addition to, rather than a part of, the full extent of a faculty member's responsibilities at the University. Additional activities should not impinge upon the time necessary for the proper and effective performance of the member's responsibilities to the University, whether those responsibilities are definite or implied, regularly scheduled, or performed when convenient. The faculty member's engagement in additional activities should not cause the member's colleagues to carry some of the member's duties (e.g., teaching, research, committee work or student advising). The department chair, evaluating the facts and circumstances of each individual case, will determine if University responsibilities are or may be compromised.

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<sup>1</sup> See University Human Resources Policies and Procedures Handbook for the Conflict of Interest Policy and the Conflict of Interest Policy for Sponsored Research.

The University encourages faculty to work cooperatively across units. Most often faculty under full-time contract to the University are not personally paid for services rendered in another department or unit of the University. Payment is usually made to the department which has given the faculty member release time to perform the service outside the member's own department. Whether payments are made to the department or the faculty member, arrangements for this additional compensation must always be approved by the appropriate Chair(s) and Dean(s).

With respect to additional university services that are identified, each department, through its Chair, or in the case of the Law School, the Dean, in consultation with the Deans and Office of Provost, shall develop guidelines for determining (a) the level of compensation appropriate to the additional services that are required during the third or summer term or during the academic year, (b) for equitably distributing the additional services to full-time faculty willing to perform them, and (c) a maximum additional services workload that apply to all faculty, i.e., no more than 3 or 4 additional courses in summer months, or a means of ascertaining on an individual basis that faculty members assigned the additional services are able to perform them without a conflict of commitment.

## APPENDIX B- Guidelines on Faculty Supplemental Summer Salary 7/17/17

In order to accomplish the work of the University, it is understood that faculty often work beyond the workload guidelines for their departments or units, including summers. This work can include research and scholarship, teaching, or service. These guidelines provide general provisions to cover the circumstances and limitations under which extra compensation may be appropriate for full-time faculty at the University of Dayton.

When a faculty member is hired into a full-time appointment, she or he is provided with a base salary amount. For most faculty members, that amount represents full, or “100%,” effort for the nine months of the academic year. For faculty with extended contracts related to administration roles (i.e., department chairs, directors), the base salary amount could represent full effort for 12 or 10.5 months. That base salary is the foundation of an individual’s total compensation. Typically, a faculty member’s annual compensation should not exceed 100% of that individual’s annualized salary.

Typically included in the 100%:

- Stipends for academic administrative responsibilities
- Teaching or service activities in addition an individual’s typical 9-month teaching or service load (e.g, summer or intersession teaching; interim director or chair)
- Funded research commonly funding summer salary or a course buy-out

Exceptions which should not be included in the 100%:

- Incidental payments, e.g., honoraria, prizes, royalties, and certain benefits that must be reported as salary for income tax purposes, but do not represent payment for work.
- Course overload in cases of emergency (e.g., covering for a colleague on sudden medical leave)

It is understood that special or urgent needs can arise that can best be satisfied by a specific individual or individuals (i.e., coverage for a colleague related to medical absence; special training related to a university initiative), and these incidental situations could result in total university compensation which exceeds 100% of the annualized base pay for a faculty member. In such cases, a recommendation for approval of extra compensation must be obtained from the relevant Dean and forwarded to the Provost’s office for approval. The Dean’s recommendation for approval of extra compensation indicates that the best interests of the University are being served; for example, there is an unusual or urgent need that cannot be accommodated by faculty release time or with the normal workload. The Provost’s approval must be obtained *prior to* the work beginning. In the case of funded research, if it is not possible for the faculty member to be released from his or her regular duties to undertake a sponsored research project, extra compensation can be approved as specified in the Policy for Extra Compensation of Employees Supported by Sponsored Research Programs.

PAFs for incidental payments or additional compensation should submitted prior to the work beginning. If this is not possible due to the nature of the incidental work (i.e., stepping in to cover for a peer), the PAF should be completed as soon as possible. Payments *should not* be held until summer or to a time in which the faculty member is “off-contract.”

If you have any questions, please do not hesitate to contact our office.

Thank you,

Carolyn Phelps, Assoc. Provost for Faculty and Administrative Affairs