

## *Article 23* **SALARIES**

### 23.1 Policy.

(a) The Board and the UFF agree that salary is an important positive factor in the recruitment and retention of strong researchers and teachers, and that a salary increase can be a powerful positive incentive for meritorious performance.

(b) Merit-based salary increases and bonuses are based on the duties assigned pursuant to Article 9 and the faculty evaluation criteria and procedures established by departments/units pursuant to Article 10.

(c) The President shall, in his or her annual budget request, request the Board of Governors to seek from the Florida Legislature recurring funds to be allocated toward meritorious performance, correcting market inequities within the faculty, and raising average FSU faculty salaries to the national average for top 25 public research universities with very high research activity as reflected in the most recent Oklahoma State University survey and similar sources as appropriate. The distribution of any salary increase funds obtained by the University shall be collectively bargained by the BOT and UFF.

### 23.2 Categories of Salary Increases.

(a) Increases to faculty salaries may be awarded in the following categories:

- (1) Promotion increases, pursuant to Section 23.3;
- (2) Sustained Performance Increases, pursuant to 23.4;
- (3) Merit Salary increases/bonuses, pursuant to Section 23.5;
- (4) Market equity increases, pursuant to Section 23.6;
- (5) Awards, pursuant to Section 23.7;
- (6) Legislative increases/bonuses, pursuant to Section 23.8;
- (7) Administrative discretionary increases, pursuant to Section 23.9;
- (8) Other payments, pursuant to Section 23.10.

(b) Faculty base salaries shall only be modified as provided in this Article and for changes between 9- and 12-month appointments as provided in Article 8.5(a).

~~(c) Base salary, or salary rate, refers to the rate of pay over the faculty member's 9 month or 12-month appointment period and does not include summer salaries for 9-month faculty members, bonuses, overloads, or payments from outside organizations. Increases to base salary shall be added to the faculty member's rate of pay unless otherwise specified in this article and in accordance with Section 23.13.~~

### 23.3 Promotion.

(a) For fiscal year ~~2017-2018-2019~~, promotion increases will be granted pursuant to Article 14 in the amount of twelve percent (12%) added to the base salary in recognition of promotion to the ranks of Associate Professor, Associate Curator, Teaching Faculty II, Instructional Specialist II, Research Faculty II, Associate in Research, and Associate University Librarian and in the amount of fifteen percent (15%) added to the base salary in recognition of promotion to the ranks of Professor, Curator, Teaching Faculty III, Instructional Specialist III, Research Faculty III, Senior Research Associate, or University Librarian. Promotional increases shall have an effective date of August 7, 201~~8~~7.

#### 23.4 Sustained Performance Increases.

(a) Sustained performance increases are designed to recognize the high quality performance of eligible senior faculty who have continued to contribute substantially to the University in their assigned areas of teaching, scholarship/creative activity, and service.

(b) Eligibility. Nine-month faculty members must have been employed by the University in the top rank or promoted to the top rank on or before August 31, 201~~10~~ and be in active payroll status on the effective date of the increase in order to be eligible. Twelve-month faculty members must have been employed by the University in the top rank or promoted to the top rank on or before August 31, 201~~10~~ in order to be eligible.

(1) For fiscal year ~~2017-2018-2019~~, eligible faculty members in the top ranks of Full professors and eminent scholars who have been working continuously at FSU for seven years after their promotion to top rank and who have been rated above “Official Concern” on their most recent sustained performance evaluation conducted in accordance with Article 10.8 shall receive a 3% increase to base salary. Faculty members who have not received a sustained performance evaluation within the past seven years must receive one, pursuant to Article 10.8, in order to be eligible for a sustained performance increase. Sustained performance increases shall be implemented with an effective date of August 7, 201~~8~~7.

(2) For fiscal year ~~2017-2018-2019~~, eligible faculty members in the top ranks of Research Faculty III, Teaching Faculty III, Senior Research Associate, Instructional Specialist III, University Librarian, and Curator who have been working continuously at FSU for seven years after their promotion to top rank and who have received above “Official Concern” rating in each of the previous seven years’ annual evaluations shall receive a 3% increase to base salary. Faculty members who have not received a performance evaluation for the most recent of the past seven years must receive one in order to be eligible for a sustained performance increase. Sustained performance increases shall be implemented with an effective date of August 7, 201~~8~~7.

#### 23.5 Merit Salary Increases.

(a) Eligibility.

(1) Nine-month faculty members must have been employed by the University in a salaried position on or before September 10, 201~~7~~6 and be in active payroll status on the effective date of the increase, in order to be eligible.

(2) Twelve-month faculty members must have been employed by the University on or

before September 10, 2017~~6~~ and be in active payroll status on the effective date of the increase, in order to be eligible.

(3) Faculty members must have received an overall annual evaluation of at least “Meets FSU’s High Expectations” for calendar year 2017~~6~~ performance in order to be eligible. Additionally, any faculty member who has received a notice of contract non-renewal will be ineligible for a Merit Salary increase.

(b) Performance Increases.

(1) For fiscal year ~~2017-2018-2019~~, in recognition of their high level of performance, eligible faculty members will receive a recurring ~~three quarters percent (0.75%) six hundred and fifty dollar (\$650)~~ performance-based pay increase, ~~prorated by FTE, to of~~ their base salary ~~as of May 4, 2018~~. Faculty members must have received an overall annual evaluation of at least “Meets FSU’s High Expectations” for calendar year 2017~~6~~ performance in order to be eligible. These increases shall be effective ~~August 24, 2018~~~~September 22, 2017~~.

~~(2) For fiscal year 2017-2018, in recognition of their high level of performance, eligible specialized faculty members and non-tenure track faculty, other than those in the Teaching Faculty, Research Faculty and University Librarian tracks, will receive an additional recurring two tenths of one percent (0.20%) performance based pay increase of their base salary as of May 5, 2017. Faculty members must have received an overall annual evaluation of at least “Meets FSU’s High Expectations” for calendar year 2016 performance in order to be eligible. These increases shall be effective September 22, 2017.~~

(c) Departmental Merit.

(1) For fiscal year ~~2017-2018-2019~~, the amount allocated for recurring departmental merit increases shall be a total of ~~eight-five hundredths one and a quarter~~ of one percent (~~1.250.85%~~) of all in-unit base salaries, as of May ~~54~~, 2018~~7~~, to be distributed based on the Spring 2018~~7~~ department/unit Annual Merit Evaluation and in compliance with the provisions below. Departmental merit increases shall be implemented with an effective date of ~~September 21, 2018~~~~October 20, 2017~~.

(2) The determination of eligibility and distribution of departmental merit will be made in accordance with the Department/Unit Faculty Evaluation Criteria and Procedures developed pursuant to Article 10.4 (Merit Evaluations). All department plans and lists are subject to approval by the appropriate dean and the Provost, who has the authority to reject the plans that do not comply with Article 10.4.

(d) Deans’ Merit.

(1) For fiscal year ~~2017-2018-2019~~, the amount allocated for recurring deans’ merit increases shall be a total of ~~fifteen hundredths two tenths~~ of one percent (0.~~1520%~~) of all in-unit base salaries, as of May ~~45~~, 2018~~7~~, and shall be effective ~~September 21, October 20, 20187~~.

(2) The deans shall distribute these increases to in-unit faculty members to recognize meritorious performance. The plans and lists for the distribution of deans’ merit increases are subject to approval by the Provost, who has the authority to reject them.

23.6 Market Equity. The UFF and the University acknowledge and agree that recruiting and maintaining a top-quality faculty requires market equity with peer institutions. The University and the UFF shall periodically assess market equity in relation to faculty salaries at aspirational peer institutions, which are among the top 25 public US universities, members of the American Association of Universities, and “Very High Research Universities” category in the Oklahoma State University annual Faculty Salary Survey (OSU Salary Survey). Market equity shall be based on position, rank, discipline, experience, and performance. For Fiscal Year 2018-2019, market equity increases shall not be implemented.

(a) Eligibility. For purposes of Section 23.6, for fiscal year 2017-2018, “eligible tenured and tenure-track faculty members” shall include in-unit Eminent Scholars, Full Professors, Associate Professors, and Assistant Professors. “Eligible specialized faculty members” shall include in-unit Teaching Faculty I, II, and III; Research Faculty I, II, and III; Assistant University Librarians, Associate University Librarians and University Librarians. A faculty member in a visiting position is not eligible for the Market Equity increase.

(1) Nine-month faculty members must have been employed by the University in a salaried position as of September 10, 2016, and be in active payroll status on the effective date of the increase, in order to be eligible. Twelve-month faculty members must have been employed by the University in a salaried position as of September 10, 2016, and be in active payroll status on the effective date of the increase, in order to be eligible.

(2) Any faculty member who has received (1) an overall rating of “Unsatisfactory,” “Inadequate,” or “Does Not Meet FSU's High Expectations” on any annual evaluation in the last 7 years, or (2) more than one overall rating of “Official Concern” in the last 7 years, will be ineligible for a Market Equity increase. Additionally, any faculty member who has received a notice of contract non-renewal will be ineligible for a Market Equity increase.

(b) CIP Code Determination. The Provost, in consultation with the Office of Faculty Development and Advancement, shall assign each eligible faculty member a “Classification of Instructional Program 2010” (CIP) code reflecting her/his major discipline as of December 1, 2016. CIP codes are maintained by the National Center for Education Statistics. (<http://nces.ed.gov/ipeds/cipcode/>).

(1) The CIP code must correspond to a degree program offered by the University. Eligible tenured and tenure track faculty members shall be assigned a CIP code corresponding to a degree program offered by the faculty member's “Tenure Home” department. For interdisciplinary faculty members and specialized faculty members, excluding librarians, the CIP code most closely reflecting the majority of their effort shall be used.

(2) The assignment of the CIP code shall not be subject to grievance under this Agreement, but shall be reviewable under the procedures set forth in Section 23.6(i).

(c) Total Salary. The “total salary” for eligible faculty members shall include the base salary, measured as of December 1, 2016, plus any payments from Direct Support Organizations made during the 2016-2017 academic year, plus the salary earned from overload appointments

during the 2016-2017 academic year when that faculty member has received the appointment consistently for three (3) academic years.

(d) **Nine-Month Equivalent Salary.** The “nine-month equivalent salary” for eligible nine-month faculty members is the total salary as defined in Section 23.6(c). For eligible twelve-month faculty members, the nine-month equivalent salary is the total salary as defined in Section 23.6(c), multiplied by 0.818 (9/11).

(e) **Base Equity Salary.** A “base equity salary” shall be established for each eligible faculty member, which shall be the nine-month mean salary for the corresponding rank and CIP code from the FY 2013-2014 OSU Salary Survey for “Very High Research Universities,” prorated by FTE. For purposes hereunder, the rank of Eminent Scholar shall be combined with the rank of Full Professor.

(1) For Teaching Faculty I and Research Faculty I, the corresponding rank and base equity salary shall be “Other Faculty” for “Very High Research Universities,” prorated by FTE.

(2) For Teaching Faculty II and Research Faculty II, the corresponding base equity salary will be the base equity salary determined for Level 1 specialized faculty, specified in 23.7(e)(1), multiplied by 1.12.

(3) For Teaching Faculty III and Research Faculty III, the corresponding base equity salary will be the base equity salary determined for Level 2 specialized faculty, specified in 23.7(e)(2), multiplied by 1.15.

(4) For Assistant University Librarians, Associate University Librarians and University Librarians, the “base equity salary” shall be the median salary for the corresponding rank from the Association of Research Libraries (ARL) Annual Salary Survey for “Three Step Rank Structures, FY 2013-2014”, as specified in Figure 6(b) of the survey, prorated by FTE.

(f) **Target Equity Salary.** A “target equity salary” shall be established for each eligible faculty member. This figure shall be the base equity salary determined from Section 23.6(e), adjusted for the following:

(1) A years-in-rank adjustment shall be made, which shall be plus or minus, as appropriate, one percent (1.0%) of the base equity salary multiplied by the difference between the faculty member's number of years in their current rank at FSU and the average years in that rank at FSU for all eligible faculty members under this section. The average years in rank for eligible Associate Professors shall be 4 years. Eligible Associate Professors shall not receive credit in the form of a years-in-rank adjustment for their time in rank at FSU over 8 years.

(2) In addition, for eligible faculty members who have received any departmental or deans' merit increase from August 9, 2005 through December 31, 2015, the total amount of such merit increases shall be added to the faculty member's target equity salary.

(g) **Equity Salary Difference.** The “equity salary difference” for each eligible faculty member is the difference between the faculty member's target equity salary as defined in section 23.6(f) and their nine-month equivalent salary as defined in section 23.6(d). If this figure is less than zero, the equity salary difference is defined as zero.

(1) For eligible twelve-month faculty members, with the exception of the three Librarian ranks, this value is multiplied by 1.222 (or 11/9).

(h) Distribution.

(1) For fiscal year 2017-2018, the total E&G funds available for Market Equity purposes for tenured and tenure-track faculty shall be six hundred thousand dollars (\$600,000). For fiscal year 2017-2018, the total E&G funds available for Market Equity purposes for specialized faculty shall be one hundred fifty thousand dollars (\$150,000). Distribution pools for tenured and tenure-track faculty shall be separate from distribution pools for specialized faculty.

(2) The Needed Market Equity for each distribution pool is defined herein as the sum of the "equity salary differences," as defined in Section 23.6(g), for all eligible E&G-funded faculty in that distribution pool, as of August 7, 2017.

(3) The Available Market Equity Ratio for each distribution pool is defined herein as the total funds available for Market Equity purposes in that pool, as described in Section 23.6(h)(1), divided by the Needed Market Equity, as of August 7, 2017, for each distribution pool.

(4) The Market Equity Increase for an eligible faculty member shall be equal to the Available Market Equity Ratio for their respective distribution pool multiplied by the faculty member's equity salary difference.

(5) The maximum increase for an eligible tenured or tenure-track faculty member shall be \$3,000. The maximum increase for an eligible specialized faculty member, as defined in 23.6(a), will be \$1,500. The remaining funds available after the cap is applied shall be distributed to the remaining eligible faculty members in their respective distribution pool by multiplying the Available Market Equity Ratio for that pool by the remaining faculty member's "equity salary difference."

(6) The 2017-2018 increases shall be effective October 6, 2017.

(i) CIP Code Assignment Review Procedure. An eligible faculty member may request a review of her or his CIP code determination by submitting a written request to the Vice President for Faculty Development and Advancement. The request shall contain a general description of the determination in question and copies of relevant documentation. Upon receipt of a request, the determination shall be reviewed by a joint committee composed of three members selected by the Vice President for Faculty Development and Advancement and three faculty representatives selected by the UFF-FSU. Within 15 days of receiving the request, the committee shall review the request, make a decision regarding the determination, and notify the faculty member. In the event that the committee vote results in a tie, a mutually agreed upon chairperson will be selected by the committee and shall make the final determination. The decision of the committee shall be final and binding.

### 23.7 Awards.

(a) The Board may provide stipends in supplement of base salary and one-time bonuses for the following awards:

(1) University or College Teaching Awards;

- (2) University Advising Awards;
- (3) Robert O. Lawton Distinguished Professor;
- (4) Developing Scholar Awards;
- (5) Distinguished Research Professor;
- (6) Graduate Faculty Mentor Awards;
- (7) Superior Liberal Studies Honors Teaching Awards;
- (8) Foundation Awards for Faculty Recognition;
- (9) Distinguished University Scholar Awards;
- (10) Honors Thesis Mentor Awards;
- (11) Post-doc Faculty Mentor Awards;
- (12) Compensation may be provided with newly established awards, subject to collective bargaining.

(b) At the end of each academic year, the Board shall provide the UFF with a complete list, in a mutually agreeable electronic format, of all awards made under this section during the previous twelve (12) month period. For each such increase, the list shall provide the name and classification/rank of the individual receiving the award, the nature of the award (stipend or one-time bonus), the name of the award, and the amount of the award.

(c) Each year, at the same time as the Board provides the list described in (b) above, the Board shall provide the UFF with copies of the selection criteria and procedures for all awards named in said list.

### 23.8 Legislative Increases/Bonuses.

(a) If the Legislature appropriates any funds for salary increases or bonuses, the disposition of those funds shall be subject to negotiation between the BOT and the UFF.

### 23.9 Administrative Discretionary Increases.

(a) For fiscal year ~~2017-2018-2019~~, the University may provide salary increases beyond the increases specified above under this section not to exceed eight-tenths of one percent (0.80%) of the total of all E&G funded base salaries for in-unit faculty members, of faculty members who are in an employment relationship with the University on the first day of May immediately preceding the beginning of the fiscal year for the circumstances listed in 23.9:

(1) Counter-offers made in response to verified written offers from comparable or aspirational educational and research institutions.

(2) Endowed/named chairs at the time they are awarded.

(3) Extraordinary accomplishments recognized by the national or international academic or professional community or recognition internal to the University, that are substantially beyond the minimum performance criteria for the top departmental merit category as approved by the faculty according to Article 10.

(4) Equity adjustments to correct salary inversions and compression relative to rank and history of annual performance evaluations. For tenured or tenure-earning faculty members equity adjustments shall follow the principles set forth in the Market Equity and FSU Faculty Salaries

Report of the Joint Study Group, dated January 24, 2007, and, for all faculty members, will be based on written criteria and procedures published by the dean of each college/unit and provided to the UFF Chapter at least 45 days before implementation.

(5) Increased duties and responsibilities. A salary increase may be awarded to a faculty member for a substantial increase in duties or responsibilities, such as service as a department chair or an analogous responsibility.

(6) Recognition for Distinguished Faculty. This category is designated to recognize exceptional performance of faculty members. The University may provide salary increases to faculty members for extraordinary performance. For faculty members in tenured or tenure-seeking positions, the University may assign the title of “Assistant/Associate Professor with Distinction” or “Distinguished Professor” to the recipients of these increases. For faculty members in “Specialized Faculty” positions, the University may assign the words “With Distinction” after the title that the faculty member currently holds.

(7) Notice shall be given of any discretionary increases that are approved by the administration but fall outside of the categories listed above or are to be effective after June 30, 2018. The UFF will have 15 days from the date of receipt to object to the increase. If an objection is made, the increase shall not be implemented.

(b) Within thirty (30) days after the effective date, or as soon as practicable, the University shall provide to the UFF a written notification of each Administrative Discretionary Increase. The notification shall state the name of the faculty member, the rank and discipline of the faculty member, the amount of the increase and the reason for the increase. The report shall include the following supporting evidence:

(1) For counter-offers, a copy of the verified written offer.

(2) For endowed/named chairs, a copy of the criteria and procedures for the award of the chair.

(3) For extraordinary accomplishments, an explanation of how the accomplishments exceed the minimum criteria for the top merit category of the department/unit; or in instances where the extraordinary accomplishment is an external award or similar, the specific external award or alternative criteria which is considered “prestigious” or “highly prestigious.”

(4) For equity adjustments, the salaries and history of annual accomplishments of the group(s) relative to which the inequity is to be corrected.

(5) For increased duties and responsibilities, the signed annual Assignments of Responsibilities for the year preceding the change and the new one reflecting the increased duties and responsibilities.

(6) For recognition of distinction, the specific external award or alternative criteria which justifies the designation of “Distinguished” or “with Distinction.”

(c) Any court-ordered or court-approved salary increase or any salary increase to settle a legitimate broad-based employment dispute shall not be subject to the terms and limitations of this section.



(d) With the exception of section 23.9(a)(7), the discretion to grant all other salary increases authorized by this section shall cease on June 30, 2019~~8~~, and shall not survive such expiration as part of the status quo.

(e) All documents provided to the UFF under section 23.9 shall be in electronic format and delivered to two representatives designated by the UFF.

23.10 Other Payments. Not applicable.

23.11 Report to Faculty Members. All faculty members shall receive notice of their salary increase on the Appendix G form or by an amended employment contract within two weeks of the effective date or as soon thereafter as practicable. Faculty members may review their pay histories by accessing the myFSU portal, opening the “Human Resources” link, and then opening the “Compensation History” link.

23.12 Report to the UFF.

(a) No later than fifteen (15) days after a pay period in which a salary increase (including increases to base rate, awards, and bonuses) is reflected, the Board shall report to the UFF in a mutually agreed electronic format a list of all faculty salary increases reflected in that pay period.

(b) The report shall be formatted in easily readable columns and shall include:

- (1) the name of each faculty member;
- (2) the name of the department/unit;
- (3) the rank of the faculty member;
- (4) the date of promotion or appointment of the faculty member to the rank;
- (5) the faculty member’s previous year’s salary rate;
- (6) the amount received in each salary increase category during the previous twelve months, according to categorization of salary increases identified in this agreement;
- (7) the faculty member’s new salary rate.

(c) A printed copy of each department’s portion of the report shall be placed on file in the department, available upon request to any faculty member of the department, as well as in the main library, along with the documents prescribed in Article 7.

23.13 Contract and Grant-Funded Increases.

(a) Faculty members on contracts or grants shall receive salary increases equivalent to similar faculty members on regular funding, provided that such salary increases are permitted by the terms of the contract or grant and adequate funds are available for this purpose in the contract or grant.

(b) Nothing contained herein shall prevent faculty members whose salaries are funded by grant agencies from being allotted raises higher than those provided to other faculty members under this Agreement, subject to the approval of the University President or designee. For

example, market equity adjustments pursuant to 23.9(a)(4) may be awarded to employees funded by grants.

23.14 Grievability. Unless provided for otherwise in this Article, the only issues to be addressed in a grievance filed pursuant to Article 20 alleging violation of this Article are whether there is unlawful discrimination under Article 6, or whether there is incorrect application of the provisions of one or more sections of this Article. No grievance may be brought disputing an administrator's or an advisory committee's evaluative judgment of a faculty member's merit.

23.15 Upon request the BOT will offer assistance to faculty members who wish to reserve salary dollars earned for time periods when they do not have an appointment with the university by providing the appropriate calculation for deductions to the faculty member as well as guidance on establishing personal direct deposits via the payroll system.

23.16 Any waiver of some or all of the right to bargain over the salaries or other compensation of bargaining unit employees contained in this Article, excluding administrative discretionary increases pursuant to Section 23.9(a)(7), shall expire on June 30, 2019~~8~~.  
he successor to the School of Visual Arts and Dance.

