Memorandum to Presidents

Date:       June 13, 1973                                      Vol. 73  No. 22
From:      Office of the Vice Chancellor
                      for Personnel and Employee Relations
Subject:  Processing of Article XXXIV Appeals

A large number of NTP appeals processed by campuses under the provision of the Memorandum of Understanding relating to NTP Promotions are currently pending before the University Review Board.

These appeals are, invariably, requests for a change in initial ranking under the new Professional Rank System. As you know, the initial ranking was accomplished by converting ASP ranking to the corresponding PR grade.

Earlier this year, SPA filed an Improper Practice Charge before the Public Employment Relations Board claiming that the University is required to evaluate each NTP position prior to the initial ranking. The University disputes this claim on the grounds, among others, that the agreement clearly contemplated no such evaluation, that such an evaluation program would lack employee input (provided by the employee-initiated Appeal under Article XXXIV) and would in any case, take two or three years to accomplish. Recently, PERB heard testimony from both SPA and the University regarding this matter.

Consequently, on advice of counsel, the University Review Board will not render any decisions on pending appeals until PERB decides the issue. We anticipate that PERB will make its decision after July first. We point out, however, that staff work on these appeals is proceeding pending decision by PERB.

Your patience in this trying matter is appreciated. You may share the information contained in this memorandum with campus officials and staff.

Kenneth M. MacKenzie

cc:  Chancellor Boyer

This memorandum addressed to:
     Presidents, State-operated Campuses