In analyzing Article 34 appeals, we have noted that some Presidents are utilizing the appeal process to initiate a position reclassification or title change with concurrent PR upgrading (for example, a reclassification of an Admissions Counselor, PR 2 to Director of Admissions, PR 3), or an increase in salary of a position within its present PR grade, to reflect a permanent significant increase or change in duties and responsibilities. These requests need not be forwarded through Article 34 channels.

Article 34 was established to provide an avenue of appeal for employees who have sought promotion reclassification or reallocation through normal channels and who have not received favorable decisions.

If a President wishes to concur in or sponsor a PR upgrading for a position, he may utilize Article 34 procedure. However, presidentially-initiated requests of the type described above may be expedited if processed in the following manner:

Requests for position reclassifications or title changes may be sent to the Office of Personnel and Employee Relations, as in the past, as routine requests. Salary adjustments within grade are within the discretion of the President, provided that a permanent and significant increase in duties and responsibilities can be demonstrated; campus funds are available; the position in question is not an executive position such as Dean, Provost, Vice President or President; and a mid-point problem does not exist, or a new mid-point problem will not be generated by the proposed increase. If the requested increase places the salary in the fourth quartile of the grade, prior approval must be obtained from the Division of the Budget.

If you wish to approve a within-grade salary change, please send us a copy of the record you wish to keep of the permanent significant increases in duties and responsibilities, accompanied by a Form UP-9 which will show the salary increase. We then will arrange to have the line item salary changed on the Certificate of Approval.
These suggestions should reduce the number of Article 34 appeals being sent to the University Review Board and expedite the handling of personnel actions which you initiate.

Kenneth M. MacKenzie

cc: Chancellor Boyer

This memorandum addressed to:
Presidents, State-operated Campuses