

Report of the Extended Contacts Working Group (Caroline Cason; Sheila Devaney; Suzanne Graham, chair; Neil Hughes; Florence King; Sheila McAlister; Diane Trap)

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CHARGE

The Libraries Faculty Advisory Board (FAB) charged the Extended Contracts Working Group to **investigate and evaluate the types of contracts** used to recruit and retain librarians¹ at research universities in the University System of Georgia and at our peer and “aspirational” universities as defined by the University of Georgia Board of Regents (BOR) in 1993. The Working Group was also charged to rank four contract options and recommend which is best for the UGA librarians to pursue.

BACKGROUND

The charge came from FAB in response to the recommendations of the June 2004 report from the earlier Working Group to Investigate an Appeals Process for Non-tenured Faculty (http://www.libs.uga.edu/staff/contract_final.pdf), which was charged with looking into possibilities for increasing job security for library professionals at UGA. The earlier working group recommended that a discrete appeals process for cases of non-renewal not be pursued, as it would likely be rejected by the UGA administration because of its implications for faculty on the tenure track who have not yet achieved tenure. It also suggested that the Libraries Faculty undertake further investigations, with the purpose of developing recommendations from among the four options that they found most desirable pursuant to a discussion of the June 2004 report that took place at the September 22, 2004 faculty meeting.

Librarians at the University of Georgia currently have annual contracts with no right of appeal for non-renewal.

No two institutions, even in states where the contract type is dictated by legislation, have identical procedures for contract award and promotion. Local traditions and institutional culture shape policy and procedural details. Functional definitions of each type of contract in this report, therefore, are generalized from common features found at the **responding** libraries.

METHODOLOGY

The Working Group sent a thirty-two question survey to human resources representatives at the following twenty two schools identified in the BOR list:

- University of Arizona
- University of California, Berkeley
- University of California at Davis
- University of Florida
- Georgia Institute of Technology
- Georgia State University
- University of Illinois
- Indiana University at Bloomington
- University of Michigan
- University of North Carolina, Chapel Hill
- North Carolina State University
- Penn State University
- University of South Carolina
- University of Tennessee
- University of Texas at Austin
- Texas A&M University

¹ For this purpose of this report, archivists and librarians are included under the umbrella “librarians.”

- University of Iowa
- University of Kentucky
- Medical College of Georgia

- University of Virginia
- University of Washington
- University of Wisconsin

The survey asked a variety of questions relating to contract status, promotion guidelines, and appeals processes (see Appendix A for survey instrument and Appendix B for complete responses).

RESULTS

Nineteen representatives responded to the survey (an 86% response rate). Most institutions offered at least two contract types, a contract during a probationary period and another for librarians that had passed an initial review. For the purposes of this study, the Working Group considered only the most secure contract types at these libraries. These types fell almost evenly into our four target areas.

- Tenure: 5
- Continuing appointments: 6
- Multi-year contracts: 3
- Single year contracts: 5

Only three institutions had changed their status or promotion procedures in the last ten years, and none of the respondents had any serious concerns about their current contract system nor did they indicate that the library faculty was dissatisfied with their contract type or renewal procedures.

Tenure

Institution	Self-selected contract type	Up-or-out requirement	In/external review	Time frame
Florida	tenure	Y	both	6 yrs.
Kentucky	tenure	Y	both	6 yrs.
Penn State	tenure	Y	both	6 yrs.
South Carolina	tenure	Y	both	6 yrs.
Tennessee	tenure	N ²	both	6 yrs.

Continuing appointment (CA)

Institution	Self-selected contract type	Up-or-out requirement	In/external review	Time frame
Arizona	CA	Y	both	6 yrs.
UC-Davis	CA	Y	both	not reported
Iowa	CA	Y	both	not reported
Michigan	CA	N	both	6 yrs.

² Response given to survey, although the librarians are tenure track.

Washington	CA	N	internal only	Must attain senior asst. librarian within two years. Must attain associate librarian within six years of appointment as senior asst. librarian.
Wisconsin	CA	N	internal, supervisor only	5 yrs.

Multi-year contracts

Institution	Self-selected contract type	Up-or-out requirement	In/external review	Time frame
North Carolina	multi-yr.	Y	internal	4 or 7 yrs., depending on rank at appointment
N.C. State	multi-yr.	not reported	not reported	not reported
Virginia	multi-yr.	Y	both	not reported

Single year

Institution	Self-selected contract type	Up-or-out requirement	In/external review	Time frame
MCG	single yr.	N	both	n/a
Georgia State	single yr.	Y	both	6 yrs.
Georgia Tech	single yr.	Y	both	6 yrs.
Texas A.M.	single yr.	N	both	n/a
Texas	single yr.	N	internal, supervisor only	n/a

ANALYSIS

- **Tenure**

Advantages: Tenure offers the most **job security** and protection of **intellectual freedom**. An established **appeals process** exists for denial of tenure, and once tenure is achieved **no contract renewal is required**. Professional literature indicates that publications and conference presentations may enhance personal and organizational prestige, and a larger research component could bestow greater status to librarians.

Disadvantages: Librarians would face the additional pressures of an “up-or-out,” external review. The additional demands of tenure can **divert focus away from core library functions and primary job duties** to areas of professional service and research. Librarians may need to use the five-hour professional development time each week as well as additional personal time to engage in professional development pursuits at a level adequate to attain tenure. Because of fundamental differences between the responsibilities of teaching faculty and librarians, perceptions of what constitute tenure-worthy endeavors may make achieving tenure more difficult for librarians. The **final decision to award tenure rests outside of the library.**

Example: Among the survey respondents, Penn State offers the most desirable model for implementing tenure at the UGA Libraries. Penn State allows individual units and departments to set their own criteria for tenure, so librarians are able to choose the most significant criteria for their profession and responsibilities. Penn State’s system of offering both tenure-track and non-tenure-track positions, while appearing to satisfy all professional staff, could create divisions within the Libraries’ faculty. Supervisors would need to understand the different performance expectations for librarians under each system.

Currently at UGA: UGA librarians already have the advantage of influence in **faculty governance** without the demands of tenure-track positions. Our promotions process does not require review from a campus-wide committee; criteria for promotion are set by the Libraries faculty only. Tenure would more than likely cause this to change.

Effect at UGA: In an ideal tenure situation, librarians would have considerable input into the creation of their review criteria; although there is no guarantee that we would be granted such input. Librarians would need to communicate effectively to the teaching faculty and to the university administration why they need unique criteria for tenure. Decisions as to whether currently employed librarians would have a choice to stay with the status quo or change to the new system would have to be made.

- **Continuing appointment**

Advantages: Continuing appointment offers considerable flexibility in creating a model that could work well at UGA Libraries. These contracts require thorough documentation of cause for non-renewal and may have only **internal review** of candidacy. Continuing appointment is conceptually and terminologically distinct from tenure. Other institutions have been able to create their own procedures and standards, and the decision to renew the contract rests within each library.

Disadvantages: At some responding libraries, the decision to renew the contract does not rest solely within the library and/or continuing appointment is granted under an “up-or-out” clause. However, the working group sees real advantages to the model itself when the sole issue of greater job security is held up as the primary criterion.

Example: Among the survey respondents, University of Wisconsin offers the most desirable model for implementing continuing appointment at the UGA Libraries. While the types of contracts offered at Wisconsin are complicated, their “continuing horizon” contract is a continuing appointment contract. Employees are expected to apply for a “continuing horizon” contract by their fifth year, but failure to achieve this contract is not cause for dismissal. The decision to award a continuing appointment contract is internal. A person may remain in a multi-year contract. The type of contract is separated from promotion.

Currently at UGA: In recent years, non-renewal of contracts at UGA Libraries has been rare, but continuing appointment would remove the implied uncertainty of a year-to-year contract.

Effect at UGA: Librarians would need to provide to the administration arguments that a change to continuing appointment would benefit both the organization and the individual faculty member.³ Based on librarians’ status as a discrete group of professionals, we might successfully argue for a paradigm not shared by other non-tenure track, contract faculty on campus.

A probationary period (e.g., 3-5 years) would be necessary to permit the timely removal of librarians for unsatisfactory performance. New procedures would need to be in place to guide librarians through the contract review process and establish guidelines separate from the promotions process if desired. Continuing appointment has been requested by the Libraries faculty in the past and denied on the basis that it was “too much like tenure without being tenure;” this argument could be resurrected. Decisions as to whether currently employed librarians would stay with the status quo or change to the new system would have to be made.

- **Multi-year contracts**

Advantages: Librarians under these contracts **have no “up-or-out”** clause attached to their contracts, yet have **some improved job security**. The decision to renew the contract rests within the library.

Disadvantages: These contracts offer **no career job security** for the librarian.

Example: Among the survey respondents, UNC Chapel Hill offers the most desirable model for implementing multi-year contract at the UGA Libraries. UNC Chapel Hill offers a ladder of increasing contract durations depending on a librarian’s rank at appointment, length of service, and their potential for promotion as documented in their performance reviews (which are in part peer-reviews). Contracts range in duration, from one year for a “General Librarian,” to four for an “Assistant Librarian,” and finally five (the maximum) for a

³ Language found in the University of Arizona’s documentation in support of continuing appointment could be adapted for this purpose by us; Duke University’s policies also contain an effective rationale that could provide some guidance, as the justification itself is independent of whether a librarian with continuing appointment works at a private or a state institution.

“Librarian.” Reappointment for the upper two ranks is contingent upon a satisfactory peer review every five years.

Currently at UGA: In recent years, non-renewal of contracts at UGA Libraries has been rare but multi-year contracts would mitigate the implied uncertainty of a year-to-year contract.

Effect at UGA: Multiyear contracts would be the simplest change to implement.

- **Single-year (Annual) contracts**

Advantages: Librarians under these contracts **generally have no “up-or-out”** clause attached to their contracts. The decision to renew the contract often rests within each library.

Disadvantages: With no protections for intellectual freedom, less job security, and short contracts, librarians serve at the pleasure of the library director **without a formal appeals procedure** for non-renewal.

Currently at UGA:

Promotion and contract renewal are completely independent at the UGA Libraries. As noted, the UGA librarians already participate in University Council and may serve on university-wide committees. The lack of a formal appeals process initiated the original study of contracts.

Effect at UGA: There would be no change in the status quo.

RECOMMENDATION

An ideal scenario would give Libraries faculty career job security with a formal appeals process. The Libraries would retain its current autonomy in hiring and retention.

Therefore, continuing appointment is the model the Working Group thinks is the best for the UGA Libraries faculty to potentially pursue. We recommend continuing appointment with these characteristics:

- Continuing appointment would be granted after a certain number of years of satisfactory job performance at UGA;
- Until continuing appointment is granted, the librarian is employed under an annual contract;
- The process should not have a time limit (i.e., “up or out in seven years”); the librarian could remain on an annual contract for career;
- Upon adoption of the model, currently employed Libraries faculty members will receive continuing appointment contracts if the faculty member has met the required number of years of “satisfactory employment” established in the new guidelines;

- The process should involve both internal peer and administrative review;⁴
- The process should not subject librarians to campus-wide review.

What constitutes “satisfactory” job performance, how many years of satisfactory employment would be required, whether the process is tied to promotion, what form the internal review takes, and other specific details are beyond the purview of this Working Group. We recommend that a committee to address these questions be elected by the full faculty, because proposed changes of this nature would affect librarians across departments and ranks.

If the Libraries faculty chooses to accept the recommendations of the Working Group, the decision to keep the status quo or to pursue continuing appointment should be made via secret ballot by the entire faculty.

⁴ Both the University of Arizona and University of Washington offer models for the process.

Appendix A

Libraries' Faculty Contract Survey Employment Contracts

1. Which type(s) of employment contract(s) listed here most accurately describe(s) those tendered to library professionals (i.e., degreed or certified library or archival employees, with faculty status or its equivalent) at your institution?

- Single-year, annual contract with no guaranteed right of renewal
- Multi-year (e.g. 2-, 3-, 5-yr. or other period) contract with no guaranteed right of renewal
- No contract is signed; library professionals have continuing appointment (i.e., dismissal may only be for cause) but do NOT have tenure
- No contract is signed; library professionals have tenure

2. If you checked more than one answer or no answer, please explain:

3. Do any other groups of professional employees on campus have the same contract status as library professionals?

- No
- Yes
- I don't know

4. If yes, please list some examples.

Review Processes

5. Which review process listed here most accurately reflects that used to grant promotion and/or enhanced contract status (i.e., continuing appointment or tenure) to librarians and archivists at your institution?

Library professionals must receive high performance ratings and successfully complete:

- only a formal appraisal process from their supervisor(s) for a defined period of time
- an internal peer-review promotion process (i.e., library-only) which does not entail an "up-or-out" clause
- an internal peer-review promotion process (i.e., library-only) which does entail an "up-or-out" clause
- both an internal (i.e., library-only) and then subsequently an external (i.e., campus-wide) review promotion process which does not entail an "up-or-out" clause
- both an internal (i.e., library-only) and then subsequently an external (i.e., campus-wide) review promotion process which does entail an "up-or-out" clause
- only an external (i.e., campus-wide) review process which does entail an "up-or-out" clause

Promotion or Enhanced Contract Status

6. How important are these criteria for granting promotion or enhanced contract status at your institution?

	Very Important	Important	Somewhat Important	Not Important	N/A
Publication in peer-reviewed journals, considered separately from conference presentations	<input type="radio"/>				
Conference presentations, considered separately from publications in peer-reviewed journals	<input type="radio"/>				
Participation in professional organizations	<input type="radio"/>				
Job performance	<input type="radio"/>				
Years of service	<input type="radio"/>				
Management responsibility	<input type="radio"/>				
Community service	<input type="radio"/>				
Other (please explain below)	<input type="radio"/>				

7. What other criteria are used by your institution in considering promotion?

8. May we review your guidelines for promotion?

- No
- Yes; Request them by email
- Yes; The URL is in the comments box (question 7)

9. Please add any comments/additional information about contracts or promotion at your institution:

Support for Professional Activities

10. May scheduled work time be used for professional activities (e.g., research and writing for publication or participation in professional organizations)?

- Yes, time is allowed, and its use for professional activities is required.
- Yes, time is allowed, but its use for professional activities is optional.
- No time is allowed.

11. How are professional activities funded (e.g., travel, registrations, or memberships)?

- Professional activities are primarily funded by my institution.
- Professional activities receive limited funding from my institution.
- Professional activities are primarily self-funded by library professionals.

12. Please add any comments/additional information about support for professional activities at your institution:

Current Process of Promotion/Employment Contract Status

13. How long has the current process for granting promotion or enhanced contract status been used by your institution?

- 0-5 years
- 6-10 years
- More than 10 years

14. If the process changed, how were library professionals affected?

Library professionals were automatically granted revised status.

- Library professionals were required to apply for revised status when new criteria and procedures took effect.
- New criteria and procedures were applied to new and recent hires only; currently employed library professionals were allowed to continue under old criteria and procedures.
- I don't know.
- No change in the process.
- Other (please specify)

15. Please add any comments/additional information about changes in the promotions process at your institution:

Recruitment and Retention

16. Does your current contract status for library professionals affect the quality of applicants for positions at your institution?

- No
- Yes
- I don't know

17. How does it affect the quality of applicants?

18. Has your employment contract status ever influenced a candidate's acceptance of a job offer?

- No
- Yes
- I don't know

19. Please explain.

20. Does your current employment contract status affect retention of library professionals at your institution?

No

- Yes
- I don't know

21. If yes, how?

22. Comments/additional information on recruitment/retention of library professionals:

Level of Satisfaction

23. Are library professionals at your institution satisfied with their current type of employment contract status?

- No
- Yes
- I don't know

24. Are library professionals at your institution satisfied with the procedure for attaining promotion or enhanced contract status?

- No
- Yes

- I don't know

25. What do library professionals at your institution consider to be the positive aspects of the status and procedures?

26. What do library professionals at your institution consider to be the negative aspects of the status and procedures?

27. Please add any comments/additional information about the satisfaction of library professionals with their employment contract status or the promotions process at your institution:

28. Do your library professionals have a formal appeals process for termination or contract non-renewal?

- No
- Yes

29. If yes, may we review your guidelines for appeal?

- No
- Yes; Request them by email
- Yes; The URL is in the comments box (question 30)

30. Please add any comments/additional information about any formal appeals process for termination or contract non-renewal at your institution:

Follow Up

31. May we contact you with follow up questions?

- No
- Yes

32. Would you like to receive a copy of our survey results?

- No
- Yes