

Supervising Professional Staff



HUMAN RESOURCE MANAGEMENT

Topics

Overview of rules, requirements, processes pertaining to employment and your role and responsibilities as a supervisor:

- Appointment Types
- Job Descriptions, Performance Programs and Evaluations
- Performance Issues
- Appointment Review Process and Notification Requirements
- Professional Obligation
- Time and Attendance
- Compensatory Time
- Promotion and Salary Increases

Appointment Types

Temporary

- SUNY Policies Article XI, Title F
- Can be terminated at any time
- FT Temporary should not exceed one year (some exceptions)
- FT Temporary service counts toward Permanent appointment eligibility
- No notice requirements
- After 2 years PT Temporary, further employment should be PT Term

Appointment Types

Term

- SUNY Policies Article XI, Title D
- Maximum term 3 years
- Notice requirements if term not renewed upon expiration:
 - 45 days for part-time appointments
 - 3 months for full-time term in first year
 - 6 months for full-time after 1 year, but not more than 2 years
 - 12 months for full-time after 2 or more years of service

Resource:

<https://hr.buffalostate.edu/renewal-and-non-renewal-term>

Appointment Types

Permanent

- Further employment after 7 full-time years MUST be on basis of Permanent appointment.
- Permanent appointment is essentially a lifetime appointment, so recommendations are very carefully considered.
- Recommendations should reference employee's entire performance since in the position, not only the past year.

Resource:

<https://hr.buffalostate.edu/permanent-appointment-uup-professionals>

Appointment Types

Permanent continued ...

Criteria in the Policies and UUP Agreement used for a permanent appointment recommendation:

- Mastery of specialization
- Professional ability
- Effectiveness in university service
- Continuing growth

Titles Not Eligible for Permanent Appointment

Appendix A of Article XI

- Includes certain Director titles
- After 3 years, term renewals must be 5 years

Appendix B (Coaching Titles) and Appendix C (Fundraising Titles)

- After 4 years, terms renewals must be 3 years

Performance Evaluation and Professional Development System

Purpose:

- Clarify job expectations
- Encourage and support professional development
- Provide quality feedback

All professional employees, including those with permanent appointment, should have:

- Up-to-date Job Description
- Performance Program for current or upcoming year
- Annual Performance Evaluation based on the Performance Program

Resource:

<https://hr.buffalostate.edu/performance-evaluation-and-professional-development-system-pepds>

Job Description

- Communicates scope and nature of job responsibilities
- Focuses on duties and responsibilities
- Remains fairly stable
- Starting point in developing Performance Program
- Reviewed each year as Performance Programs are developed for coming year, and modified to reflect any major changes

Job Description

Position Summary

- Brief description

Job Functions

- Essential responsibilities (must haves)
- Percentage of time spent on each
- Consequences of actions if fails to perform duties
- Level of supervision received
- Examples of authority/decision making
- Who does employee supervise?

Job Description

Secondary Responsibilities

- Ancillary functions, routine tasks coincidental to essential duties

Required Knowledge, Skills, Abilities

- Specific knowledge
- Level of knowledge
- Physical and mobility requirements
- Mental abilities

Qualifications

- Degrees
- Years/type of experience
- Licenses, certifications
- Years of experience that can substitute for education requirements

Performance Program

- Prepared each year to reflect specific goals and focus for coming year
- Tied to department/division/college goals
- Cannot be retroactive
- Developed by supervisor in consultation with employee
- Includes employee's professional obligation
- For new employees:
 - Consultation within 30 days from hire
 - Performance Program in place 15 days after consultation
- Performance Program filed in official personnel file in VP office, with a copy to the employee

Performance Program

Individual Goals

- Related to department/division goals and college's strategic directions
- Sets and clarifies priorities
- Challenging but reachable
- Include all important aspects of job so that they can be addressed in the performance evaluation

Professional Development Goals (aka 'Continuing Growth')

- Continuing education
- Professional organizations
- Training programs
- May include plan to address areas in need of improvement, preparation to take on new responsibilities, or future career goals

Performance Program

College/Community Service Goals

Effectiveness in University Service

- Committee work
- Participation in campus/university governance
- Campus/university related student or community activities

Mid-Year Discussion

- Optional tool to review progress on goals
- Opportunity to recognize and reward positive performance or to redirect performance that is not on target
- May need to modify Performance Program
- Does not replace day-to-day feedback but serves to document it

Performance Evaluation

- Evaluation Cycle
 - Tied to timeline for recommendations and notification deadlines for employees with term appointments. HR sends reminder memo to supervisor with a copy to the employee.
 - Annual Evaluations required for all employees (including those with permanent appointment and multi-year term appointments).
 - Review cycle is July 1 – June 30 for employees with permanent appointment (consistent with annual report cycle).
- Prepared by direct supervisor
- Supervisor meets with employee to discuss

Performance Evaluation

- Criteria
 - Effectiveness in performance
 - Mastery of specialization
 - Professional ability
 - Effectiveness in university service
 - Continuing growth
- Rate and comment on each goal
- Evaluate Job Description
- Overall Rating (required) and Optional Satisfactory Rating
- Recommendation from supervisor

Unsatisfactory Rating

Overall Rating of “Unsatisfactory”

Defined as: Needs significant improvement, performance below acceptable level, lacks basic understanding of position duties and responsibilities. Many tasks require extra direction by supervisor. Supervisor may find it necessary to avoid assigning tasks to employee.

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- Comments on individual goals should be consistent with overall rating of “satisfactory” OR “unsatisfactory”.
 - Consult with HR if considering overall rating of unsatisfactory.
 - Employee may request a review from the College Committee on Professional Evaluation. The Committee makes recommendations to the VP/President regarding the rating. (UUP Contract Appendix A-28)

Performance Issues

Supervisors may address performance issues via:

- Informal counseling
 - Formal counseling (consult HR)
 - Directives (consult HR)
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Counseling is not discipline:

- Conversation between supervisor and employee
- No right to representation
- Constructive and intended to improve performance, not to accuse or punish

Performance Issues

- Employee cannot be disciplined for act that was addressed with counseling.
- Consult with HR if there may be misconduct or wrongdoing.
- STOP counseling session if new, serious issues come up that may warrant disciplinary action.
- HR investigates matters that may lead to discipline.
- Interrogation of employee requires representation.
- Cannot use statements in disciplinary action if representation not provided.

PEPDS Summary

Every professional employee should have:

- Up-to-date Job Description
- Performance Program for coming year
- Annual Evaluation that is based on Performance Program

This includes employees with Permanent Appointment

Resource:

<http://hr.buffalostate.edu/performance-evaluation-and-professional-development-system-pepds>

Appointment Review Process

- Supervisor initiates with performance evaluation and recommendation. HR provides guidance and reminders on dates.
- Finalize evaluation at least 45 days prior to notification deadline.
- Any written evaluation or recommendation pertaining to appointment MUST be shared with employee at time it is prepared (UUP Contract Article 31).
- Timely submission allows sufficient time for other reviews and recommendations, required 5 day “review and respond” (UUP Contract Article 31), and decision by VP/Provost or President.
- Remember that supervisors make a RECOMMENDATION. Only VP/Provost/President can actually renew or non-renew a term appointment.

Appointment Review Process

- SUNY Policies of the Board of Trustees Article XI, Title D
 - “No term appointment, of itself, shall be deemed to create any manner of legal right, interest or expectancy in any other appointment or renewal.”

- UUP Contract Article 7.2 (Grievance Procedure)
 - Defines grievances and provides that “with respect to matters involving appointment of employees a grievance shall be deemed to mean a claimed failure by the State to follow the procedural steps relating to appointment of employees contained in the Policies of the Board of Trustees.”

Appointment Review Process

- When employee is eligible for Permanent Appointment, Article 33 Review possible:
 - If all evaluations are “satisfactory” but not recommended for permanent appointment
 - If supervisor recommends Permanent but final decision is expiration of term
 - Review by ad hoc tripartite committee (Chancellor’s Advisory Committee)
 - Review substance of judgement of performance OR
 - Review whether non-renewal was based on program issues

Professional Obligation

- Professionals do not have a defined number of hours in the work day or work week.
- Focus on work vs. hours:
Do you need employee present to provide services?
Are projects and assignments completed according to expectations?
- Professional obligation is defined in the performance program and job description.
- Build operational needs into the performance programs.
- Some obligations may include work on evenings and weekends.
- Professional obligation for professionals is either calendar year (12 months) OR college year (an annual obligation less than the full year).

Time and Attendance

- Employees are required to certify their presence and record absences and accruals on a monthly basis as a condition of employment. Supervisors are held accountable for certification that the monthly records are accurate. (UUP Contract Article 23.9)
- Vacation requests should be submitted and approved in advance.
- Vacation requests may be denied for operational reasons, but supervisor must be fair, and reasonable. Try to offer compromise if possible. May be required to provide reason for denial in writing.
- Sick leave is usually unscheduled absence. Do not require employee to bring in a doctor's note. All medical documentation shall be sent to HR only.
- Contact HR if concerned that use of sick leave is excessive.
- If employee requires sick leave beyond a week, please contact HR for guidance on requesting an extended leave and providing medical documentation.

Compensatory Time

- UUP Agreement Appendix A-29
- Compensatory time is only available when an employee is required to work above and beyond the normal professional obligation.
- Compensatory time can only be accrued and used following the approval of management or a designated supervisor.
- Compensatory time is NOT calculated on a strict hour for hour basis.
- This is not recorded on the monthly attendance records.
- Unused compensatory time is NOT paid out at separation.
- Use of compensatory time must be documented a form/memo retained by the designated supervisor.

Compensatory Time

Sample Memo to Document Compensatory Time:

This memo will confirm our mutual agreement that you will not be reporting to campus on [date] for the full time that the office is normally open. The use of this time is in recognition of the services you have performed beyond your normal professional obligation. For attendance purposes, you are regarded as having been present at that date sufficient to meet your required obligations.

Promotions and Salary Increases

- UUP Agreement Appendix A-28
- Promotion is an increase in salary with movement to higher salary rank and change in budget title:
 - Permanent and significant increase in duties and responsibilities in current job or movement to new job.
 - Consult with HR for review and classification before changing duties.
 - Must be approved by the President.
 - Reflect in performance program and job description.

Promotions require a salary increase (no specific dollar amount) and the salary must be at least minimum for SL rank.

Promotion may change eligibility date for permanent appointment.

Promotions and Salary Increases

Salary increases without promotion

- Permanent and significant increase in duties and responsibilities, YET duties and responsibilities remain within the scope and complexity of employee's existing professional classification.
- Consult with HR for review before changing duties.
- Reflect in performance program and job description.
- Clearly define what has been added.

Promotions and Salary Increases

Employee request for promotion or salary increase

- Supervisor makes recommendation but is not final approval.
- Must identify source of funds for salary increase.
- If denied at level below President, employee may take to College Review Panel.
- Review Panel makes recommendation.
- Denial of promotion may go to University Review Board.
- Decision on salary increase at President's discretion.

Contact HR

Please contact HR with any questions at 878-4822

hr.buffalostate.edu