

Retentions and Pre-Emptive Retentions

This document includes:
School of Arts and Humanities process
Academic Affairs Guidelines
UC San Diego Retention FAQ

School of Arts and Humanities Process

1. Retention cases:

A faculty member needs to have an **offer letter** from a **peer institution**. The faculty member should discuss this with the Chair and/or Dean. If the decision is made to pursue a retention offer, then the pre-approval process should be followed. This process is done via a Kualo form. (Therefore, the A&H retention worksheet is no longer needed.) The AP staff creates a request in Kualo Build. The form can be found here:

https://aps.ucsd.edu/tools/aps_kuali_apps.html#Retention-Action-Pre-Approval-R

This PDF gives you step by step instructions about what information will be needed for the requests.

<https://aps.ucsd.edu/files/kuali/retentions/Kuali%20Retention%20EDM.pdf>

This form is routed to Chair, Dean's Office, and then to SVCAA Continetti for final pre-approval.

When/if the Kualo request is approved, the Department may proceed with submitting a retention file in Interfolio. The review file will be sent to the Dean's Office, then CAP, and the SVCAA will make the final decision. A retention offer is not official until the candidate receives the final outcome letter from the SVCAA.

*current A&H and campus practice:

-will **match (but not exceed)** the academic year annual salary listed in the offer letter. Other items may be requested depending on what is being offered (research funds, etc.)

Effective July 1, 2024, full retentions, regardless of monetary value, impose a **nine (9) year embargo** period during which no additional full or preemptive retention actions may be awarded, regardless of the final retention amount.

Additionally, UC San Diego academic appointees may not be proposed for a full retention prior to the completion of at least one (1) academic review following the initial appointment in their current academic series.

Retention effective dates are always 7/1 and should not be earlier than then the effective date of the outside offer.

2. Preemptive Retention cases:

A faculty member needs to have evidence that they've been **invited to an on-campus interview** from a **peer institution**. The faculty member should discuss this with the Chair. If the decision is made to pursue a pre-emptive retention offer, then the new pre-approval process should be followed. Requests for pre-approval of a preemptive retention action need to occur **before** the date of the

candidate's on-campus finalist interview. **Participation in the on-campus interview precludes the ability to pursue a pre-emptive retention.**

The pre-approval process is done via a Kualo form. (Therefore, the A&H retention worksheet is no longer needed.) The AP staff creates a request in Kualo Build. The form can be found here: https://aps.ucsd.edu/tools/aps_kualo_apps.html#Retention-Action-Pre-Approval-R

This PDF gives you step by step instructions about what information will be needed for the requests. <https://aps.ucsd.edu/files/kualo/retentions/Kualo%20Retention%20EDM.pdf>

This form is routed to Chair, Dean's Office, and then to SVCAA Continetti for final pre-approval.

When/if the Kualo request is approved, the faculty member should decline the interview invitation.

The Department may proceed with submitting a retention file in Interfolio. The review file will be sent to the Dean's Office, then CAP, and the SVCAA will make the final decision. See next page for review file info/process. A pre-emptive retention offer is not official until the candidate receives the final outcome letter from the SVCAA.

current A&H practice:

-will consider a Market Off-Scale increment of 8% over their current base salary + MOS with a maximum of \$30K MOS increase.

current campus practice: maximum MOS increase is \$30K.

Effective July 1, 2024, academic appointees are limited to requesting, and departments & schools proposing, no more than one (1) preemptive retention action at the assistant/associate rank (combined) and no more than one (1) preemptive retention action at full rank.

Preemptive retentions may not exceed a MOS increase of \$30,000 and they will impose a **six (6) year embargo period** during which no additional full or preemptive retention actions may be awarded, regardless of the final approved preemptive retention amount.

Additionally, UC San Diego academic appointees may not be proposed for a preemptive retention prior to the completion of at least one (1) academic review following the initial appointment in their current academic series.

PreEmp Retention effective dates are always 7/1 and should not be earlier than then the effective date of the outside offer.

Academic Affairs Guidelines for Retention Actions (Full & Preemptive) **Effective July 1, 2024**

Retention actions, both full and preemptive, play an important role in maintaining our excellent cohort of faculty. Given the talent of our faculty, it is not a surprise they are frequently a recruitment target of external institutions. However, given the resource challenges we face, and concerns about the disproportionate effect on the equity of compensation for those who do not engage in seeking outside offers, we are revising our internal practices regarding the administration of proposals for retention actions (full and preemptive), effective July 1, 2024.

Full Retentions:

A full retention may occur if a faculty member has received a formal offer of employment, letter of intent, or a detailed proposal letter from a designated hiring official (dean or higher) with authority to extend such an offer, that includes proposed terms such as rank, salary, start up support, etc. With pre-approval from the Senior Associate Vice Chancellor, Academic Affairs (Sr. AVC-AA), departments may prepare a full retention file for a faculty member who is being recruited by a comparable educational institution in order to counter the outside offer in an effort to retain the appointee.

Preemptive Retentions:

A preemptive retention may occur when a faculty member has advanced far enough in the process of being recruited by a comparable educational institution to be identified as a finalist but not yet received an offer of employment, letter of intent, or detailed proposal letter. Evidence to support a pre-emptive retention may include an invitation to an on-campus finalist interview in an open search, or the equivalent, from a comparable educational institution.

With pre-approval from the Sr. AVC-AA, departments may prepare a preemptive retention file if there is evidence of a credible threat of a potential or pending offer from a comparable educational institution. Requests for pre-approval of a preemptive retention action need to occur before the date of the candidate's on-campus finalist interview and the preemptive retention file should immediately follow pre-approval. Pre-emptive retention requests received after the date of a candidate's on-campus finalist interview will not be considered.

Pre-Approval

Pre-approval is required when proposing a new or increased market off-scale salary component (MOS) in the form of a retention action. Pre-approval from the Sr. AVC-AA for the consideration of a retention action grants departments and schools permission to submit a retention file for review.

Effective July 1, 2024, all requests for pre-approval of a retention action, full or preemptive, will be routed to the Sr. AVC-AA, through the Quali Retention Request form located [here](#). Please note pre-approval must be secured *prior* to the submission of a retention file, full or preemptive, to Academic Personnel; documentation of Sr. AVC-AA pre-approval to submit must be included in the file.

Pre-approval from the Sr. AVC-AA **DOES NOT** constitute final approval of a retention outcome.

- When made aware of a retention situation, the department chair should contact the dean and provide the following required information via the Quali Retention Request form.
 - a. discussion of how the competing institution compares to UC San Diego
 - b. a copy of the outside offer letter, letter of intent, or detailed proposal letter (full retentions), or evidence of a credible threat (preemptive retentions), such as an invitation to an on-campus finalist interview
 - c. discussion of the impact of the individual's loss to the department(s).
- If a dean agrees that a new or increased market off-scale salary is warranted, they will forward the request form to the Sr. AVC-AA. In addition to addressing the scholarly contributions of the faculty member and the value they bring to the UC San Diego community, the dean discussion should include analysis of the competing offer or imminent external threat as presented by the department, and the dean's assessment of how the educational institution/department's disciplinary ranking compares to UCSD. Importantly, the dean should address whether the proposed salary increase will create salary inequity or compression within the department and applicable remedies.
- If in agreement, the Sr. AVC-AA will sign the Retention Request Form to indicate pre-approval to submit a retention file (full or preemptive). The signed Retention Request Form must be downloaded and included in the retention or preemptive retention file when it is submitted to Academic Personnel Services.
- Retention and preemptive retention files will follow regular campus review procedures.¹

Documentation of Outside Offer or Credible Threat

Offer letters, letters of intent, and detailed proposal letters, for the purposes of inclusion in a full retention file, are defined as a letter issued by a senior administrator at the rank of dean or higher, with the authority to extend such an offer at a competing institution. The offer should include all major terms of employment (rank, step, salary, effective date).

In a preemptive retention, the primary form of evidence is an invitation to an on-campus finalist interview from a search committee, chair or dean.

Special Considerations

- **Intercampus Transfers**

Proposals for both full retentions and preemptive retentions for faculty recruited by a University of California campus will adhere to the requirements of APM 510 - Intercampus Transfers.

¹ See the AP Process Manual for detailed instructions regarding preparation of a retention file

- **Bonus Off-Scale (BOS), Career Milestone Salary Incentives (CMSI) and other salary considerations**

When proposing a retention salary, departments and schools should consider all aspects of the candidate's current salary, including a pre-existing bonus off-scale (BOS) component and the effective date of the new overall salary.

Departments and schools should specify the new or increased market off-scale salary component being proposed as well as the proposed final total salary. When a retention action is proposed for an appointee with an existing BOS, it should be noted the BOS will end at the next academic review. Similarly, if an appointee is eligible to receive a CMSI as a result of a concurrent academic review action, the retention action proposal should clearly state whether the proposed final salary is inclusive of the CMSI. Regarding effective dates, departments should note if the new proposed salary is inclusive of an upcoming (anticipated) range adjustment.

Retention Action Embargos and Limits

Full Retentions

Effective July 1, 2024, full retentions, regardless of monetary value, impose a **nine (9) year embargo period** during which no additional full or preemptive retention actions may be awarded, regardless of the final retention amount.

Additionally, UC San Diego academic appointees may not be proposed for a full retention prior to the completion of at least one (1) academic review following the initial appointment in their current academic series.

Preemptive Retentions

Effective July 1, 2024 academic appointees are limited to requesting, and departments & schools proposing, no more than one (1) preemptive retention action at the assistant/associate rank (combined) and no more than one (1) preemptive retention action at full rank.

Preemptive retentions may not exceed a MOS increase of \$30,000 and they will impose a **six (6) year embargo period** during which no additional full or preemptive retention actions may be awarded, regardless of the final approved preemptive retention amount.

Additionally, UC San Diego academic appointees may not be proposed for a preemptive retention prior to the completion of at least one (1) academic review following the initial appointment in their current academic series.

- **If preemptive retentions are limited to one (1) at assistant/associate rank and (1) at full rank, why do they impose a six (6) year embargo period?**

Appointees are eligible for one (1) preemptive retention at the assistant/associate rank (combined) and one (1) at full rank.

It's feasible a candidate will receive a preemptive retention at the assistant/associate rank and shortly after promote to full rank. In such cases, promotion to full rank does not reset a preemptive retention embargo period. Only upon completion of a preemptive retention embargo will a candidate be eligible for an additional preemptive retention at full rank.

Example Scenario:

Professor X received a preemptive retention effective 7/1/2024 as an Assistant Professor, Step III with a six (6) year embargo through 6/30/2030. One year later, Professor X Promoted to Associate Professor, Step I effective 7/1/2025.

During the 2026-2027 academic year (7/1/2026 through 6/30/2027), Professor X was contacted about a potential Associate rank position at a competing institution.

Q: Can Professor X be proposed for an additional preemptive retention at the Associate rank?

A: No, under the 7/1/2024 retention guidelines appointees are only eligible for one (1) preemptive retention at the assistant/associate rank (combined) and one (1) preemptive retention at full rank. Professor X would not be eligible for an additional preemptive retention until both his current six (6) year embargo ends and he achieves a rank for Full Professor.

Q: Can Professor X be proposed for a full retention at the Associate rank?

A: While full retentions don't have rank specific limits similar to preemptive retentions, Professor X would not be eligible for a full retention under his current six (6) year embargo. Professor X may be considered for a full retention once his current embargo period ends.

- **I received a full or preemptive retention outcome before the 7/1/2024 retention guidelines went into effect. Will my embargo period be increased to align with the new embargo periods?**

Pre 07/01/2024 embargo periods will be honored and will not be increased to align with new retention action guidelines. Outcomes letters will indicate the applicable retention action embargo period.

- **An assistant ladder rank faculty in our department received an increase to their MOS in the form of a preemptive retention with a 3-year embargo at the Assistant rank effective 07/01/2021. The embargo period for this candidate's preemptive retention ends on 6/30/2024.**

The faculty member promoted to the Associate rank effective 7/1/2023. Can the appointee be proposed for an additional preemptive retention or full retention at the Associate rank or will they have to wait until they reach the Full rank?

Under the new retention guidelines, preemptive retentions are limited to one (1) at the assistant/associate rank (combined) and one (1) at the full professor rank, not to exceed \$30K. *Preemptive retentions undertaken at the assistant/associate rank prior to 7/1/2024 will count toward these limits.*

If, however, the request is for a full retention, the department and school may move forward with requesting pre-approval as the 7/1/2024 retention guidelines do not limit the number of full retentions based on rank. If approved, full retentions impose a 9-year embargo period, irrespective of the candidate's rank.

○ **A department/school received Sr. AVC pre-approval for a retention action. What does this mean?**

Pre-approval from the Sr. AVC only grants departments and schools the ability to submit a retention proposal for campus review. Sr. AVC pre-approval does not constitute a final approval of the proposed retention action and should not be communicated to the candidate as such.

○ **Can an appointee be proposed for a retention action in anticipation of an upcoming embargo period end date?**

Yes, as long as the proposed retention action is reviewed in the immediately preceding academic year prior to a proposed July 1st effective date and is not effective until an applicable embargo period has expired. Please also note, preemptive retentions are limited to one (1) at the Assistant/Associate rank (combined) and one (1) at Full rank with a \$30K limit and 6-year embargo period while full retentions impose a 9-year embargo period.

Example:

Professor X received a full-retention effective 7/1/2015 at the Associate rank with a 9-year embargo period ending 6/30/2024.

Professor X can be proposed and reviewed for a pre-emptive retention during the 2023-2024 academic year with a proposed 7/1/2024 effective date.

○ **Can a retention file be forwarded to APS in anticipation of Sr. AVC pre-approval?**

No. Retention files should not be forwarded to APS prior to receiving pre-approval from the Sr. AVC. A copy of the Sr. AVC's pre-approval must be included in the file. Files not including pre-approval will be returned as Incomplete.

○ **How do departments/schools request Sr. AVC pre-approval?**

Requests for pre-approval of a retention action from the Sr. AVC may be routed for review using the Academic Personnel Quali Retention Pre-Approval Request Form. The form may be accessed [here](#).

APS has also published an online reference guide located [here](#).

- **What should we do if the outside offer is from a foreign institution?**

The assumption, unless otherwise indicated, is that a foreign offer is issued using a fiscal year basis. See [APM 600](#) for salary conversion guidance.

The department chair is responsible for ensuring the proper conversion of a foreign offer to an academic year basis. A salary conversion should be performed using foreign exchange rates in effect on the date of the outside offer letter.

A copy of the salary conversion, the original offer letter, and a translated version of the outside offer should be included in the file. If the outside offer required translation to English, please include who or how translation was achieved.

- A ladder rank faculty at the Associate rank received a BOS as part of his 7/1/2022 academic review. The faculty member is not due for their next review until 7/1/2025 but is being proposed for a preemptive retention effective 7/1/2024.

Departments and schools should be specific about the proposed new or increased market off-scale salary amount as well as the proposed final total salary in consideration of any pre-existing BOS.

Example:

Professor X received a BOS as part of his 7/1/2022 academic review and is not due for his next review until 7/1/2025.

Professor X is being proposed for a preemptive retention in the form of a \$22,500 increase to his MOS effective 7/1/2024.

7/1/2022 Review Details:	Associate Professor, Step I
	Base Salary: \$92,500
	Market Off-Scale: \$50,000
	Bonus Off-Scale: <u>\$2,400</u>
	Total Salary: \$144,900

Know the Difference and Be Specific			
Example of a Non-Specific Proposal:		Example of a Specific Proposal:	
The Department of ABC proposes a preemptive retention for Professor X for a total salary of \$165,000 effective 7/1/2024 in response to outside interest from a competing insitution.		The Department of ABC proposes a preemptive retention for Professor X in the form of a \$22.5K increase to his MOS for a total permanent salary of \$165,000 with maintenance of an existing \$2.4K BOS for a total salary of \$167,400 effective 7/1/2024 in response to outside interest from a competing insitution.	
Base Salary:	\$92,500	Base Salary:	\$92,500
Existing Market Off-Scale:	\$50,000	Existing Market Off-Scale:	\$50,000
MOS Increase:	<u>\$20,100</u>	MOS Increase:	<u>\$22,500</u>
Total Permanent Salary:	\$162,600	Total Permanent Salary:	\$165,000
Bonus Off-Scale (Temp.):	\$2,400	Bonus Off-Scale (Temp.):	\$2,400
Total Salary:	\$165,000	Total Salary:	\$167,400

**Please note, proposals exceeding the ICL threshold will require review and endorsement from the Chancellor and approval from the University of California Office of the President (UCOP) prior to the issuance of an final outcome.*

- A ladder rank faculty at the Assistant rank is proposed for promotion to Associate Professor, Step I and is being simultaneously proposed for a full retention in the form of an increased MOS.

Departments and schools should be specific about the proposed new or increased market off-scale salary amount as well as the proposed final total salary in consideration of other advancement awards such as Career Milestone Salary Incentives on the General Campus and SIO.

Example:

Professor X is proposed for promotion to Associate Professor, Step I with a full retention in the form of an increase MOS effective 7/1/2024:

Proposed Promotion Details:	Associate Professor, Step I
	Base Salary: \$92,500
	Existing Market Off-Scale: <u>\$50,000</u>
	Total Salary: \$142,500

Proposed Retention Details:	MOS Increase: \$15,000
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Know the Difference and Be Specific			
Example of a Non-Specific Proposal:		Example of a Specific Proposal:	
The Department of ABC proposes Professor X for a promotion to Associate Professor, Step I with an increase to his market off scale salary component for a total salary of \$157,500 .		The Department of ABC proposes Professor X for a promotion to Associate Professor, Step I with a \$15K increase to his MOS in response to an outside offer from a competing insitution for a total salary of \$157,500 . If promotion is successful, the Department of ABC expects Professor X will receive a career milestone incentive (CMSI) in the form of a \$7K increase to his MOS for a total salary of \$164,500 .	
Base Salary:	\$92,500	Base Salary:	\$92,500
Market Off-Scale:	\$50,000	Market Off-Scale:	\$50,000
MOS Increase:	\$8,000	MOS Increase:	\$15,000
<u>CMSI* to Tenure:</u>	<u>\$7,000</u>	<u>CMSI* to Tenure:</u>	<u>\$7,000</u>
Total Salary:	\$157,500	Total Salary:	\$164,500

**Please note CMSI awards are limited to General Campus and SIO.*

**Please note, proposals exceeding the ICL threshold will require review and endorsement from the Chancellor and approval from the University of California Office of the President (UCOP) prior to the issuance of an final outcome.*