

1 Letter of Agreement (LOA) between
2 Portland State University (University)
3 and the Portland State University Chapter
4 of the American Association of University Professors (Association)
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6 March 9, 2022
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8 **Subject:** Letter of Agreement for transition into the AAUP 2021-2024 CBA, Article 18 Section 2
9 (f) Post Continuous Appointment Review (PCAR) process and PCAR Salary Increases
10 for Non-Tenure Track Instructional Faculty members on continuous appointment
11 (NTTF-CA members).

12 **Recitals**

13 The parties revised the timeline of the post continuous appointment review process from every 3
14 years to “in the 5th year of continuous appointment and then every 5 years following the last
15 evaluation or promotion” per signed MOU dated May 28, 2020. The parties later negotiated new
16 PCAR review processes with salary increases per Article 30, Section 6C of the 2021-24 Collective
17 Bargaining Agreement. The parties now seek a transition for Non-Tenure Track Instructional Faculty
18 members on continuous appointment (NTTF-CA members) into the new system that includes PCAR
19 salary increases.

20 This will replace the LOA #5 dated April 14, 2021 and corrects the MOU that changed the cycle from 3
21 to 5 years dated May 28, 2020 and was inserted into the new Article 18 of the 2021-24 CBA.

22 **Agreement**

23 **PCAR Cycle:**

24 NTTF-CA members who promoted in rank since their successful Milestone Review or last PCAR shall
25 become eligible for PCAR consistent with Article 18 Section 2 (f) based on the effective date of their
26 successful Milestone Review or successful promotional review increase.

27 **PCAR Increase and Effective Date:**

28 All PCAR Effective Dates are tracked using the original continuous appointment effective date as
29 stated on the employee’s signed NOA. Successful promotional reviews do not restart the PCAR count
30 unless they are effective on or after September 16, 2021. Prior to September 16, 2021 PCAR was
31 required in the 3rd year of post-continuous appointment regardless of eligibility for a promotional
32 review or if a successful promotional review occurred. PCAR increases can be found in Article 30,
33 Section 6.C.

34 **1. GROUP 1 - PCAR IN THE 3rd YEAR:**

- 35 a. NTTF-CA members who received a positive PCAR at the three-year mark **as specified in**
36 **the 2015-19 CBA** AND prior to the change to in the 5th year effective on May 28, 2020, will
37 be eligible for the newly negotiated PCAR salary increase effective September 16, 2022
38 without the need to undergo another evaluation. Their new PCAR effective date will be the
39 September 16th following the completion of their original/actual PCAR (prior to
40 commencement of newly negotiated salary increase).
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1 **EXAMPLES FOR GROUP 1:** include all CA effective dates from 9/16/2016 to 9/16/2017.

CA Start Date	Year 1	Year 2	Year 3 Review Occurred under 2015-19 CBA	Year 1	Year 2	Year 3	Year 4	Year 5 Review Occurs under 5-Year Count
9/16/2016	2016-17	2017-18	2018-19	2019-20	2020-21	2021-22	2022-23	2023-24
9/16/2017	2017-18	2018-19	2019-20	2020-21	2021-22	2022-23	2023-24	2024-25

2 **2. GROUP 2 - PCAR FOLLOWING THE 3rd YEAR:**

3 a. NTTF-CA members who received a positive PCAR following the three-year mark **as**
 4 **specified in the University P&T Guidelines** AND prior to the change to in the 5th year
 5 effective on May 28, 2020, will be eligible for the newly negotiated PCAR salary increase
 6 effective September 16, 2022 without the need to undergo another evaluation. Their new
 7 PCAR effective date will be the September 16th following Year 3, to re-align this group with
 8 the 2015-2019 CBA and the new 2021-2024 CBA.

9 **EXAMPLES FOR GROUP 2:** include all CA effective dates from 9/16/2016 to 9/16/2017 whose review
 10 occurred **AFTER** year 3.

CA Start Date	Year 1	Year 2	Year 3 PCAR Should have Occurred	Year 4 PCAR Occurred FOLLOWING Year 3	Year 1 Same as Year 4	Year 2	Year 3	Year 4	Year 5 Review Occurs under 5-Year Count
9/16/2016	2016-17	2017-18	2018-19	2019-20	2019-20	2020-21	2021-22	2022-23	2023-24
9/16/2017	2017-18	2018-19	2019-20	2020-21	2020-21	2021-22	2022-23	2023-24	2024-25

11 **3. GROUP 3 - SIMULTANEOUS PROMOTION and PCAR IN THE 3rd YEAR:**

12 a. NTTF-CA members whose promotional reviews and PCARs occurred simultaneously in
 13 the 3rd year as specified in the 2015-19 CBA, will be eligible for the newly negotiated
 14 PCAR salary increase effective September 16, 2022 without the need to undergo another
 15 evaluation. Their new PCAR effective date will be the September 16th following the
 16 completion of their original PCAR promotional reviews.

17 **EXAMPLES FOR GROUP 3:** include all CA effective dates from 9/16/2016 to 9/16/2018.

CA Start Date	Year 1	Year 2	Year 3 PCAR and Promotional Review Occurred under 2015-19 CBA	Year 1	Year 2	Year 3	Year 4	Year 5 Review Occurs under 5-Year Count
9/16/2016	2016-17	2017-18	2018-19	2019-20	2020-21	2021-22	2022-23	2023-24
9/16/2017	2017-18	2018-19	2019-20	2020-21	2021-22	2022-23	2023-24	2024-25

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1 **4. GROUP 4 - SIMULTANEOUS PROMOTION and PCAR FOLLOWING THE 3RD YEAR:**

- 2 a. NTTF-CA members whose promotional reviews and PCARs occurred simultaneously
 3 following the 3rd year as specified in the University P&T Guidelines, will be eligible for
 4 the newly negotiated PCAR salary increase effective September 16, 2022 without the need
 5 to undergo another evaluation. Their new PCAR effective date will be the September 16th
 6 following the completion of their promotional review to re-align this group with the 2015-
 7 2019 CBA and the new 2021-2024 CBA.

8 **EXAMPLES FOR GROUP 4:** include all CA effective dates from 9/16/2016 to 9/16/2017.

CA Start Date	Year 1	Year 2	Year 3 PCAR Should have Occurred	Year 4 PCAR and Promotional Review Occurred FOLLOWING year 3	Year 1 Same as Year 4	Year 2	Year 3	Year 4	Year 5 Review Occurs under 5- Year Count
9/16/2016	2016-17	2017-18	2018-19	2019-20	2019-20	2020-21	2021-22	2022-23	2023-24
9/16/2017	2017-18	2018-19	2019-20	2020-21	2020-21	2021-22	2022-23	2023-24	2024-25

9 **5. GROUP 5 - PROMOTION IN LIEU OF PCAR:**

- 10 a. Recognizing that some NTTF-CA members were permitted to opt-out of PCAR even
 11 though this option was not available under the original 3-year cycle language, NTTF-CA
 12 members who underwent a promotional review in the 3rd year or following the 3rd year of
 13 Continuous Appointment, in lieu of a PCAR review will be eligible for the newly negotiated
 14 PCAR salary increase effective September 16, 2022 without the need to undergo another
 15 evaluation. Their new PCAR effective date will be the September 16th following the
 16 completion of their promotional review.

17 **EXAMPLES FOR GROUP 5:** include all CA effective dates from 9/16/2016 to 9/16/2017.

18 **Promotion in the 3rd year of CA in Lieu of PCAR:**

CA Start Date	Year 1	Year 2	Year 3 Promotional Review Occurred in lieu of a PCAR	Year 1	Year 2	Year 3	Year 4	Year 5 Review Occurs under 5-Year Count
9/16/2016	2016-17	2017-18	2018-19	2019-20	2020-21	2021-22	2022-23	2023-24
9/16/2017	2017-18	2018-19	2019-20	2020-21	2021-22	2022-23	2023-24	2024-25

19 **Promotion following the 3rd year of CA in Lieu of PCAR:**

CA Start Date	Year 1	Year 2	Year 3	Year 4 Promotional Review Occurred in lieu of a PCAR FOLLOWING Year 3	Year 1	Year 2	Year 3	Year 4	Year 5 Review Occurs under 5- Year Count
9/16/2016	2016-17	2017-18	2018-19	2019-20	2020-21	2021-22	2022-23	2023-24	2024-25
9/16/2017	2017-18	2018-19	2019-20	2020-21	2021-22	2022-23	2023-24	2024-25	2025-26

1 **6. GROUP 6 - NO PCAR CONDUCTED IN THE 3rd YEAR:**

- 2 a. NTTF-CA members who did not receive a PCAR review in the 3rd year as specified in the
3 2015-19 CBA, **will undergo an evaluation this year (2021-2022)** and, if the review is
4 positive, will be eligible for the newly negotiated PCAR salary increase effective September
5 16, 2022. Their new PCAR date will be the September 16th following the year their original
6 PCAR should have occurred.
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8 **EXAMPLES FOR GROUP 6:** include all CA effective dates from 9/16/2016 to 9/16/2017.

CA Start Date	Year 1	Year 2	Year 3 PCAR Should have Occurred	Year 1	Year 2	Year 3	Year 4	Year 5 Review Occurs under 5-Year Count
9/16/2016	2016-17	2017-18	2018-19	2019-20	2020-21	2021-22	2022-23	2023-24
9/16/2017	2017-18	2018-19	2019-20	2020-21	2021-22	2022-23	2023-24	2024-25

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10 All other PCAR Increases and Effective Dates:

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12 **7. GROUP 7 - EFFECTIVE DATES STARTING 9/16/2018:**

- 13 a. Due to the change in PCAR count from 3 to 5 years effective May 28, 2020, those NTTF-
14 CA members with a CA start date on or after 9/16/2018 will add 2-years to the 3-year
15 benchmark, to reach the required 5 years for PCAR. All NTTF-CA member PCAR effective
16 dates will be tracked using the original continuous appointment effective date as stated on
17 the faculty member's signed NOA.

18 **EXAMPLES FOR GROUP 7:** include all CA effective dates on or after 9/16/2018 and those NTTF-CA
19 who were scheduled for a PCAR on or after academic year 2020-21.

20 **PCAR review schedule with a CA Start Date on or after 9/16/2020.**

CA Start Date	Year 1	Year 2	Year 3	Year 4	Year 5 PCAR Review Occurs
9/16/2018	2018-19	2019-20	2020-21	2021-22	2022-23
9/16/2019	2019-20	2020-21	2021-22	2022-23	2023-24
9/16/2020	2020-21	2021-22	2022-23	2023-24	2024-25
9/16/2021	2021-22	2022-23	2023-24	2024-25	2025-26
9/16/2022	2022-23	2023-24	2024-25	2025-26	2026-27

21 Effective 9/16/2020 NTT-CA instructional faculty members may not apply for promotion and post-
22 continuous appointment in the same year. A faculty member may request to Defer or Opt-out of a
23 PCAR for reasons permitted by AAUP/PSU Article 18 Errata MOU [date pending].

24 If a faculty member on Continuous Appointment undergoes a successful promotional review prior to
25 year 5 of the post-continuous appointment, their next post-continuous appointment review will occur in
26 the fifth year following the successful promotional review. Year 1 of the next 5-year post-continuous
27 appointment review schedule will start on September 16 of the academic year following the successful
28 review.

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1 **Successful Rank Promotional Reviews with an effective date on or after 9/16/2020.**

Promotional Review Effective Date	Year 1	Year 2	Year 3	Year 4	Year 5 PCAR Review Occurs
9/16/2020	2020-21	2021-22	2022-23	2023-24	2024-25
9/16/2021	2021-22	2022-23	2023-24	2024-25	2025-26
9/16/2022	2022-23	2023-24	2024-25	2025-26	2026-27

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3 This LOA shall become effective upon signature and shall remain in effect until the expiration of the
4 parties CBA unless reaffirmed by the parties at successor bargaining.
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<u>For the University</u>	<u>For the Association</u>
<p><u>Shelly Chabon</u> Shelly Chabon, Vice Provost for Academic Personnel</p>	<p><u>David Kinsella</u> David Kinsella, Vice President Collective Bargaining</p>
<p>3/9/2022 _____ Date</p>	<p>3/9/2022 _____ Date</p>

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