

Deans -- Roles and Responsibilities as defined by the  
Collective Bargaining Agreement and HEERA  
July 2009

1. Both the Faculty Collective Bargaining Agreement and the Higher Education Employer-Employee Relations Act have clearly defined roles for administrators (employees who are not members of the faculty bargaining unit). There are 19 articles in the CBA that cite a responsibility for an appropriate administrator. Some of these roles are relatively routine (e.g., approval of sick leave and recipient of safety requests and recommendations), most are substantive roles (faculty appointment, evaluation, workload, leaves of absence including sabbatical/DIP). If faculty chairs assumed the responsibilities for the Academic Deans and Associate Deans, then another administrator would need to assume these defined roles/responsibilities.
2. Faculty with grievances would need to direct their issues/complaints to an administrator since faculty chairs are members of the bargaining unit.
3. Some accreditation agencies have a role for a Dean as opposed to a Chair. For example, AACSB (Business) has a defined role for a Dean.
4. Systemwide Dean meetings may discuss issues that are inappropriate for faculty Chairs who are members of the bargaining unit.

*Following are definitions of appropriate administrator from the CBA and HEERA. Also the 19 CBA Articles that cite a role for an appropriate administrator are identified.*

Collective Bargaining Agreement and 'the appropriate administrator:

Article 2: Definitions:

Administrator – The term "administrator" as used in this Agreement refers to an employee serving in a position designated as management or supervisory in accordance with HEERA.

*HEERA and definitions of Managerial Employee and Supervisory Employee – note that department chairs are specifically excluded from definition*

(k) "Managerial employee" means any employee having significant responsibilities for formulating or administering policies and programs. No employee or group of employees shall be deemed to be managerial employees solely because the employee or group of employees participates in decisions with respect to courses, curriculum, personnel, and other matters of educational policy. A department chair or head of a similar academic unit or program who performs the foregoing duties primarily on behalf of the members of the academic unit or program shall not be deemed a managerial employee solely because of those duties.

3580.3. Supervisory employee defined

"Supervisory employee" means any individual, regardless of the job description or title, having authority, in the interest of the employer to hire, transfer, suspend, lay off, recall, promote, discharge, assign, reward, or discipline other employees, or responsibility to

direct them, or to adjust their grievances, or effectively to recommend such action, if, in connection with the foregoing, the exercise of such authority is not of a merely routine or clerical nature, but requires the use of independent judgment. With respect to faculty or academic employees, any department chair, head of a similar academic unit or program, or other employee who performs the foregoing duties primarily in the interest of and on behalf of the members of the academic department, unit or program, shall not be deemed a supervisory employee solely because of such duties; provided, that with respect to the University of California and Hastings College of the Law, there shall be a rebuttable presumption that such an individual appointed by the employer to an indefinite term shall be deemed to be a supervisor. Employees whose duties are substantially similar to those of their subordinates shall not be considered to be supervisory employees.

*Following are the 19 CBA Articles that state roles/responsibilities for an appropriate administrator (note that only references pertinent to Academic Deans are included – e.g., Article 10, Grievance, makes multiple references to an appropriate administrator, however, those references are to Faculty Affairs AVP as opposed to a Dean).*

1. Article 11 – Personnel Files
2. Article 12 – Appointment
3. Article 13 – Probation and Tenure
4. Article 15 – Evaluation
5. Article 18 – Reprimand
6. Article 20 – Workload
7. Article 22 – Leaves of absence
8. Article 23: Leaves of absence with Pay
9. Article 24: Sick Leave
10. Article 26: Fee Waiver
11. Article 27: Sabbatical Leave
12. Article 28: Difference in Pay Leave
13. Article 31: Salary
14. Article 32: Benefits
15. Article 33: Holidays
16. Article 34: Vacation
17. Article 35: Outside Employment
18. Article 36: Safety
19. Article 38: Layoff

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