
Staff Handbook for the
Continuing Appointment
System of FRIB/NSCL

FRIB Continuing Appointment System

4/19/2023

This Staff Handbook contains employment policies specifically related to employment in the Continuing Appointment System ("the CA System") of the Facility for Rare Isotope Beams (referred to as "Laboratory"). This Handbook does not replace or modify other existing University policies, which remain in effect for all University employees. In circumstances when this Handbook is silent on an issue, the Laboratory adheres to the corresponding policy contained in the Faculty Handbook.

01. Role and Responsibilities of CA Staff

04/19/2023

1.1 The CA staff of the Laboratory includes three (3) ranks in each of three (3) areas designated Engineering Staff, Physics Staff, and Research Staff. The specific titles for the nine (9) categories are respectively: 1) Engineering staff--Engineer FRIB, Staff Engineer FRIB, and Senior Engineer FRIB; 2) Scientist staff--Scientist FRIB, Staff Scientist FRIB, and Senior Scientist FRIB; and 3) Research Staff --Assistant Professor FRIB, Associate Professor FRIB, and Professor FRIB. A general responsibility of staff members in all of the above categories is to conduct her/his assignment in a manner which furthers the goals and mission of the Laboratory program in a professionally responsible and ethical manner. Their contributions are generally at a strategically important level. Additionally, responsibilities of the respective groups are:

1.1.1 The role of the CA Engineering staff typically is to participate in and supervise the design, fabrication, assembly, testing and operation of advanced instrumentation systems supporting the goals of the Laboratory's research programs.

1.1.2 The role of the CA Scientist staff typically is to accomplish conceptual development, efficient implementation, and effective operation of advanced instrumentation systems of the Laboratory, including research and development on advanced instrumentation systems relevant to the future program of the Laboratory.

1.1.3 The role of the CA Research staff typically is to encompass a combination of a) independent research activities and b) contributions to the research capabilities and activities of the research group in which they are appointed.

Future additions of professional groups to the Laboratory will carry parallel titles to those professional groups listed above. Staff members in a new professional specialty will be assigned to one of the previous groups until the new category has at least five members, at which time the category will become an additional group.

1.2 Fixed-term and CA system staff are eligible to participate in laboratory business by serving on FRIB committees. The laboratory director welcomes input from all CA staff on FRIB matters.

1.3 Any CA staff member may apply for and/or act as senior investigator on sponsored research projects in accordance with established University procedures and policies. In addition, CA Research staff may act as advisors to graduate students in thesis research if concurrence is obtained from the appropriate degree-granting unit of the University.

02. Appointment Basis

Last updated: 09/02/2015 (details at bottom); 04/19/2023

2.1 Appointments in the CA System may be on a full-time (100%), annual year (12 month) basis or part time. Part-time probationary or continuing appointments must be for 50% time or greater and may be recommended at the discretion of the Laboratory Director ("Director"). A recommendation to change the percent of employment requires mutual consent of the employee and the Director (note: this provision does not apply to actions taken pursuant to Sections 10 and 11 of this Handbook). Academic year (9 month) appointments may be recommended at the discretion of the Director.

2.2 A Foreign National holding non-immigrant status may be appointed within the CA system; however, he /she may not be given continuing appointment status in the CA system unless (a) he/she has acquired permanent resident status or U.S. citizenship or (b) he/she enters into and complies with the terms of a FRIB Continuing Appointment Agreement approved by the Provost.

Revision History

04/19/23 - removal of NSCL; update Physicist to Scientist

9/2/2015 - updates made to reference FRIB

1/14/2014 - updates made to section 2.1

03. Credentials

The duties and responsibilities performed by CA employees are of significance and strategic importance to academic unit roles and purposes but do not necessarily require the Ph.D. or other terminal qualifying degree. Normally CA positions require a Master's degree and/or other specialized qualifications in the applicable discipline or profession. The actual requirements may vary with the specific functional area. The attainment of a particular degree does not guarantee appointment in the CA system.

04. Fixed Term Appointments

Fixed-term appointments are made outside the Continuing Appointment System. Individuals may be appointed on a fixed-term basis at any rank and in any professional area. All fixed-term appointments have a specific termination date. The University has no obligation to provide reappointment or extension of a fixed-term appointment beyond the ending date. Such appointments do not convey Continuing Status at any time irrespective of the number of times the appointment is renewed.

05. Joint Appointments

Subject to the concurrence of the Director and the relevant administrators of academic units (departments, schools, and residential or other non-departmentally organized colleges), a CA staff member may be jointly appointed between the Laboratory and an academic unit. Specific duties and responsibilities must be stated clearly in advance. Such appointments must be recommended using MSU's Multiple Appointment Memorandum. Such appointments do not require a tenure system vacancy, nor do they imply a commitment to a future tenure system appointment.

06. Probationary Appointments in the CA System

8/08/2019

- 6.1.** Probationary appointments normally precede the granting of continuing appointment status.
- 6.2.** Engineer FRIB, Scientist FRIB and Assistant Professor FRIB: The initial appointment is for a probationary period of four years. Reappointment for a second probationary period may be recommended. This second probationary period shall be three years in length.
- 6.3.** Staff Engineer FRIB, Staff Scientist FRIB and Associate Professor FRIB: The initial appointment is for one probationary period of four years. Reappointment upon successful completion of the probationary period will result in the award of Continuing Status¹.
- 6.4.** Senior Engineer FRIB, Senior Scientist FRIB, and Professor FRIB: The initial appointment is for a probationary period of two to four years. Reappointment upon successful completion of the probationary period will result in the award of Continuing Status¹.
- 6.5.** Probationary appointments in the CA System will begin on August 16 of the calendar year in which the staff member's first CA System appointment begins and will end on August 15 of the appropriate later calendar year. If any probationary period is interrupted by leaves of absence of six months or more, the probationary appointment will automatically be extended by one additional year.
- 6.6.** In cases where an extension is not automatic, the Director may request an extension of a probationary appointment from the Vice Provost and Associate Vice President for Faculty and Academic Staff Affairs.

[\[1\]](#) Continuing status is awarded upon successful completion of probationary period provided that appropriate permanent residency status is obtained by CA staff member. In circumstances where permanent residency status is not obtained at time of successful completion of probation; the probationary period may be extended.

07. Continuing Status in the CA System

4/19/2023

7.1. A probationary Engineer FRIB, Scientist FRIB or Assistant Professor FRIB may be recommended for Continuing Status after successfully completing his/her probationary periods, and by being promoted to the rank of Staff Engineer FRIB, Staff Scientist FRIB, or Associate Professor FRIB at any time during her/his probationary appointment periods.

7.2. A probationary Staff Engineer FRIB, Staff Scientist FRIB or Associate Professor FRIB may be recommended for Continuing Status after successfully completing her/his probationary period or by being promoted to the rank of Senior Engineer FRIB, Senior Physicist FRIB, or Professor FRIB at any time during her/his probationary appointment period.

7.3. A probationary Senior Engineer FRIB, Senior Scientist FRIB, or Professor FRIB may be recommended for Continuing Status after successfully completing his/her probationary period. At the option of the Director, Continuing Status may be recommended at the time of the initial appointment as Senior Engineer FRIB, Senior Scientist FRIB, or Professor FRIB.

7.4. In addition to their basic rank, CA staff may have administrative roles (Project Leader, Department Head, Director, etc.). Administrative positions are subject to change at any time and do not have continuing status.

7.5. Continuation of CA System appointments is in all circumstances contingent on availability of funds, the funding base supporting CA appointments being the composite of grants and contracts administered by the Laboratory, plus University allocations to the Laboratory.

08. Procedures for Recommending Reappointment, Promotion, and Continuing Status

8/08/2019; 4/19/2023

8.1. Reappointment, promotion, and Continuing Status reviews of CA staff are intended to advance the overall quality of the Laboratory's CA staff and of its research and construction programs. Criteria and standards will be comparable to the highest standards used in equivalent employment categories at other research laboratories.

8.2. Reappointment, promotion, and Continuing Status reviews will be initiated in one of three ways: a) The Vice Provost and Associate Vice President for Faculty and Academic Staff Affairs will send to the Director of the Laboratory a list of CA staff members for whom reappointment and continuing appointment actions are mandatory; b) The Reappointment Promotion Committees (RPC's) may identify CA staff members for reappointment with continuing status prior to the conclusion of probationary status^[1] or optional promotions; c) The CA staff member may request a vote to form a review subcommittee by their RPC.

8.3. Reappointment-Promotion Committees (RPC) for CA staff members in each professional category shall consist of all higher rank CA staff with Continuing Status in the professional specialty of the particular candidate, plus two higher rank members with Continuing Status from each of the professional specialties different from that of the candidate. If the candidate's line manager is not a regular member of the RPC, the line manager shall be made a non-voting member of the RPC. An RPC for Research staff may have membership from tenure system and FRIB faculty holding full or joint appointments in the Laboratory. The four members of each RPC representing professional specialties different from that of the candidate will be designated by the Director. If the designated professional category does not have more than one member at the required rank, a corresponding vacancy or vacancies shall exist in the RPC.

8.4. After reviewing the Evaluation Folders and holding appropriate discussions, the RPC will decide by vote which optional actions will be considered by subcommittees. Unless the committee decides otherwise, a vote of 40% of the full committee is required to form a subcommittee. If a committee member cannot be present at an RPC meeting where a vote will be taken, he/she may request an absentee ballot from the committee Chair. If an absentee ballot is not submitted to the Chair prior to the meeting, it will be considered an abstention.

8.5. Each FRIB Department Head, in consultation with the chair of the RPC, shall appoint a three person subcommittee of the RPC to consider reappointment, promotion, and continuing appointment status recommendations for CA staff members in her/his department.

8.5.1. The subcommittee shall base its judgment on its assessment of the staff member's performance and her/his overall contribution to the research and construction programs of the Laboratory.

8.5.2. The subcommittee will review the contents of the CA staff member's evaluation folder. Comments and information should be solicited from other members of the Laboratory, from appropriate outside referees, and from any other relevant information source. The subcommittee shall confer with the CA staff member's line manager and offer to consult the CA staff member.

8.5.3. The subcommittee shall present its written recommendations and the basis for the recommendation to the full RPC for the relevant professional category and grade.

8.6. Over 50% of the full committee must vote to recommend a reappointment or promotion action. If a committee member cannot be present at an RPC meeting where a vote will be taken, he/she may request an absentee ballot from the committee Chair. If an absentee ballot is not submitted to the Chair prior to the meeting, it will be considered an abstention. The recommendations of the RPC will be forwarded to the

Department Head. If the Department Head considers an action different than the recommendation of the RPC, she/he shall meet with the RPC before taking such action and present reasons and hear comments from the RPC. The recommendation of the Department Head, along with the recommendation of the RPC, shall then be forwarded through line management successively to the Director and to the Provost or designee for appropriate action.

8.7. Reappointment, promotion, or Continuing Status recommendations shall be communicated to the Provost or designee for each recommendation via submission of the FRIB Reappointment, Promotion, and Continuing Status form. The Provost or designee will review the recommendations of the Director no later than November 1 prior to the ending date of the probationary appointment. The CA staff member will be informed in writing regarding his/her appointment status no later than the December 15th following the review.

8.8. The awarding of Continuing Status will be based on a record of sustained, outstanding achievement in their field. A recommendation for promotion from the rank of Engineer FRIB, Physicist FRIB or Assistant Professor FRIB to Staff Engineer FRIB, Staff Scientist FRIB or Associate Professor FRIB, or from the rank of Staff Engineer FRIB, Staff Scientist FRIB, or Associate Professor FRIB, to Senior Engineer FRIB, Senior Scientist FRIB or Professor FRIB should be based on several years of sustained, outstanding achievements in their field.

8.9. All personnel actions under the CA system are reported to the Board of Trustees of Michigan State University.

[\[1\]](#) Probationary staff being considered for Continuing Appointment status and not recommended for Continuing Appointment status shall not be precluded from consideration for Continuing Appointment at the end of the probationary period.

09. Grievance Procedure

9.1. Any CA staff member may initiate a grievance alleging a violation of existing policies or established practices by laboratory management other than the Director. Grievances against the Laboratory Director shall follow the University's Faculty Grievance Policy. Before filing a grievance, the CA staff member must discuss his/her complaint with appropriate Laboratory administrators in an attempt to resolve the complaint informally.

9.2. If the CA staff member's complaint is not satisfactorily resolved after informal discussion with the appropriate administrator, the CA staff member may initiate the grievance procedure by submitting a written statement of the grievance to their Department Head within 30 calendar days of first knowledge of the alleged violation. If the Department Head is the administrator whose actions are at issue, the Director will decide who hears the grievance. The grievance statement shall set forth the alleged violation of existing policy or established practices, a concise statement of the facts relevant to the grievance, the name of the administrator whose action is at issue, the approximate date on which the alleged action took place, and the redress sought. Within 30 calendar days of filing the grievance statement, both parties to the grievance shall have an opportunity to meet with the Department Head or designate and present relevant information and/or witnesses on their behalf. The Department Head or designate may seek additional information from anyone who has information relevant to the grievance. The Department Head or designate will provide the parties with a written decision indicating his/her findings within 30 calendar days from hearing the grievance.

9.3. Either party may appeal the decision of the Department Head to the Director of the Laboratory within 20 calendar days of receiving the Department Head's written decision. Within 14 calendar days of receiving the appeal, the Director shall be provided with a statement of the grievance, any testimony or evidence provided by the parties in the initial Hearing, and a copy of the Department Head's response to the grievance. In considering the appeal, the Director may receive additional testimony or evidence, either oral or written, from the parties to the grievance or from other staff and faculty who may provide information. The Director will issue a written decision and recommendations within 20 calendar days of hearing the appeal. Either party may appeal the decision of the Director to the Provost or designee within 20 calendar days of the written decision. The appeal must allege that there has been a prejudicial violation of the grievance procedures or that the decision of the Director of the Laboratory is not consistent with the preponderance of the evidence presented during the appeal. The Provost or designee shall be provided with a statement of the appeal, any written statements or evidence provided by the parties, and a copy of the decisions of the Department Head and Director. The Provost or designee shall issue a final decision on the appeal within 20 calendar days.

10. Dismissal for Cause

10.1. A staff member in the CA System, whether on probationary appointment or Continuing Status, may be dismissed for cause. When such an action is contemplated, the formal procedures described in [Appendix VI](#) will be followed.

11. Position of CA Staff in the Event of a Cutback in Laboratory Funding

4/19/2023

11.1. Continuation of CA System appointments is, in all circumstance, contingent on availability of funds. Where the Laboratory does not have sufficient funding, the following procedure will apply with respect to termination from employment. Decisions regarding staff reductions are to be based on the overall program goals consistent with grant funding.

11.1.1. The Director, after consultation with the faculty, Department Heads and CA staff, will prepare a list of proposed staff reductions based on the criterion of balancing the budget and maintaining the essential functions of the Laboratory in the most effective possible manner. This list will be circulated to all CA staff.

11.1.2. A seven person Review Committee will be appointed by the Provost or designee, consisting of three persons from a group of six nominated by the potentially affected staff members, three persons from a group of six nominated by the Director, and one person from a group of two nominated by the Program Officer of the Laboratory's major funding agency. The committee will not include the Director or any potentially affected staff member. If a person selected by the Provost or designee declines to serve, the appropriate nominating group shall have the opportunity to make replacement nominations, subject to the limitation that if a committee willing to serve is not fully constituted within a period of 30 calendar days from the time of the initial request for nominations, the Provost or designee may proceed to finalize the committee by naming individuals of her/his own choice.

11.1.3. The Review Committee will be charged to hear from the Director as to the reasoning supporting her/his recommendations, to hear petitions from potentially affected staff members wishing to make presentations, to receive opinions from such other advisors as it wishes to consult, and to make written recommendations to the Provost or designee within 30 calendar days from the date the committee membership was finalized.

11.1.4. Within 20 calendar days of receiving the report from the committee, the Provost or designee will inform the Director of her/his decision regarding the proposed plan. The staff reductions, if any, will take effect in no less than three months from the date that the Director was informed by the Provost's office.

11.1.5. Staff reductions made under this section will not be subject to the FRIB Grievance process.

11.1.6. Any person separated from the Laboratory pursuant to this section shall be given a priority preference in the filling of any staff vacancy in the Laboratory for which the individual is qualified. This priority will remain in effect for three years starting from the date of separation. During this period, eligible individuals will be notified in writing regarding such vacancies and must return an indication of interest to the Laboratory within ten calendar days in order to exercise their priority preference.

12. Professional Development

12.1. The Laboratory encourages the professional development of its staff. CA staff members are encouraged to take advantage of special conferences, seminars, colloquia, and other short-term activities and programs that will enhance their job-related professional knowledge and skills. Attendance at programs held during scheduled work hours or at programs that would affect the operation of the work unit must be approved in advance by their line manager. Attendance at professional meetings and participation in programs that are held outside of the immediate area further require the approval of the Department Head to arrange for Travel Authorization and for possible reimbursement of expenses. As funds for financial assistance are limited, the extent of reimbursement will be considered on a case-by-case basis.

12.1.1. All CA staff members are eligible to enroll in formal courses on either a degree or non-degree basis, subject to the limitation that a staff member on a full-time appointment may carry no more than five credit hours at one time. In the case of job-related courses, flexible working schedules can be arranged with the Department Head in order to attend classes given during normal working hours. Requests for release time will be considered on a case-by-case basis and approved by the Director. Tuition expenses for job related courses may also be reimbursed by the Laboratory, subject to availability of funds and if recommended by the Department Head and approved by the Director in advance of registering for the course.

12.2. CA Staff members are eligible to apply for a temporary reassignment to scholarly duties that enhance the research activities and capabilities of both the individual staff member and the laboratory group research program. Reassignment to scholarly duties for professional development is not granted automatically but is intended for the mutual benefit of the University and the CA staff member. Reassignment will not be granted unless satisfactory arrangements are made in advance to:

- carry on the Laboratory duties of the CA staff member
- fulfill obligations to graduate students whose programs or theses are being directed by the CA staff member, and fulfill obligations to committee assignments
- Specific dates for the reassignment must be specified in the request and are approved by the Director.

13. General Conditions

13.1. CA staff are covered by all policies, rules, regulations and ordinances of Michigan State University. However, in the interest of avoiding ambiguity, it is stated that the rules of the tenure system, the Faculty Grievance Policy (except in the case of a grievance against the Laboratory Director), and the Procedure for the Dismissal of Tenured Faculty for Cause do not apply to the CA staff because separate rules and procedures covering these topics are provided in this Handbook.

From time-to-time, University policies and procedures change. In such cases, the CA Handbook will automatically be updated to reflect these changes when applicable. Changes to the CA Handbook may be proposed by any member of the CA staff or by the Laboratory administration. CA Staff must submit recommendations to the Director in writing and the recommendation must be signed by at least three CA Staff Members. After a 14 calendar day comment period, the Director will determine whether to implement the changes and announce it to the CA staff, or form a committee to review the recommendation. If a committee is to be formed, the Director will appoint a committee consisting of two CA members from each of the professional areas and two tenure system faculty members to review the proposal and make a recommendation regarding the proposed changes. The Director will review the committee's recommendations and make such changes to the proposed revisions as she/he determines necessary. Copies of the proposed revisions will then be sent to all CA staff for review and comment. After a 14 calendar day comment period, the Director will confirm or modify the proposed modifications and will forward the proposal to the Provost or designee with copies to each CA staff member. The Provost or designee will hold the proposed modifications for a period of 14 calendar days. If, during this period, written request is made to the Provost or designee by at least three CA staff, the Provost or designee will schedule a comments session with the Laboratory Director and all CA staff, to receive advice and comments on the proposed changes. Noting the comments received, the Provost or designee will confirm or modify the proposed changes and, with notification to all CA staff, modifications approved by the Provost or designee will be put into effect.

Appendix I: Leave Policies

A leave of absence, with or without pay, may be granted to CA staff members. Recommendations for leaves of absences originate in the Laboratory and must be reviewed successively by the Director and the Provost or designee, who makes the final decision. Leaves usually do not extend beyond one year.

Leaves of absence, other than for short-term disability, parental or for military service, are not granted automatically but are intended for the mutual benefit of the University and the CA staff member. Leaves will not be granted unless satisfactory arrangements are made in advance to:

1. carry on the Laboratory duties of the CA staff member
2. fulfill obligations to graduate students whose programs or theses are being directed by the CA staff member, and
3. fulfill obligations to committee assignments

Specific dates for the leave must be specified in the request and should be made as far in advance as possible.

A CA staff member who without good cause fails to return to the University within a reasonable time (generally 5 calendar days) after a leave of absence shall forfeit rights to further employment and shall be considered as having resigned. In such circumstances, the following procedures shall apply in lieu of the Dismissal for Cause procedures.

The Provost or designee shall inform the CA staff member that the failure to return may be treated as a resignation and provide the person with an opportunity to respond. If the CA Staff member cannot be contacted after a reasonable effort, the Provost or designee shall proceed on the basis of the information available. The Provost or designee shall decide whether the failure to return shall be considered a resignation. The CA staff member may initiate a grievance under the FRIB Grievance Procedure.

1. Leaves of Absence Without Pay

Leaves of absence without pay may be granted on recommendation of the Department Head with the approval of the Director and Provost or designee. Specific dates for the leave must be specified in the request and should be made as far in advance as possible so that Laboratory program will not be interrupted. Such leaves usually do not extend beyond one year.

CA staff members should contact MSU Human Resources to make arrangements for continuation of their benefit programs.

2. Other Leaves

Requests for Military Service Leaves, Short-Term Disability (medical) Leaves (including FMLA leave), Parental Leaves, Funeral/Bereavement Leave, Jury Duty Leave, and Continuation of Benefits While on Unpaid Leave of Absence are governed by the corresponding policies located in the Faculty Handbook.

3. Vacation Leave

The University provides vacation leave to CA staff members whose appointments are on an annual basis under the following conditions:

- CA staff members holding appointments on an annual basis, with more than six months service, are eligible for annual vacation leaves.

- CA staff members holding appointments on an annual basis receive annual vacation leave of 22 working days each year. Proportional allowances are granted to appointees with more than six months of service but less than twelve. Vacation allowances are granted on July 1 of each year.
- Part time employees appointed for 6 months or more at 50% time or higher accrue vacation on a proportional basis.

Scheduling

The Laboratory is responsible for scheduling vacations in order not to interfere with its research program and to insure that each CA staff member receives the appropriate vacation allowance during the appointment period. The scheduling preferences of CA staff will be considered, but vacations must be scheduled in accordance with the requirements of the Laboratory's program.

Carry Forward

All unused vacation up to a cumulative maximum of 22 days will be carried forward from one fiscal year to the next. Time thus carried forward will be used before time granted in the new fiscal year. Vacation leave which has been carried forward is not eligible for payment in lieu of vacation.

Pay in Lieu of Vacation

Payment in lieu of vacation may be approved in cases of retirement or termination in accordance with University policy.

Vacation time provided in the current fiscal year which has not been used at the end of the fiscal year due to the request by the Laboratory will be compensated for at the rate of 0.2% of the annual salary per unused day.

To be eligible for payment in lieu of vacation, a staff member must maintain and periodically submit records of her/his working schedule, such records to be maintained in a format acceptable to the Laboratory Administration documenting the basis of the in-lieu-of-vacation payment. Neither vacation time nor pay in lieu of vacation can be granted prior to eligibility for vacation allowance. Payments for vacation not used (at the request of the Laboratory) in any fiscal year will be made in the first month of the following fiscal year.

Appendix II: Interruption/Compensation Program

CA staff members may be called during their non-scheduled working hours in the case of emergency or operational need. A compensation schedule has been developed to pay individuals for this interruption. To see a copy of the current compensation schedule, see the Personnel Coordinator or the Laboratory Administrator. This program must be reauthorized by the Provost or designee periodically.

To receive compensation for such interruptions, a form is initiated by the caller, who provides pertinent details about the call. The caller signs the form, and provides it to the individual who was called for their signature. The Department Head of the individual who was called must also sign the form, and turn it in to the Personnel Coordinator for payment processing.

Payment for the Interruption Compensation Program is processed monthly.

Appendix III: Benefit Eligibility, Resignation and Retirement

Benefits

Full-time and part-time (50-100%) CA staff with appointments of nine months or more are eligible for benefit and retirement programs in accordance with University policy. Complete information regarding the University's benefit programs is available from MSU Human Resources.

Resignation and Retirement

To assist the University in its efforts to find satisfactory replacements, it is requested that CA staff members planning to resign or retire give at least ninety days notice in writing to the Director.

Individuals leaving the University should contact MSU Human Resources for information concerning termination, continuation or conversion of their benefit programs.

Appendix IV: Outside Work for Pay

The University's [Outside Work for Pay](#) Policy as contained in the Faculty Handbook applies to all staff appointed in the CA System holding appointments of at least 50% time. A CA staff member on a less than 50% appointment shall report aggregate hours of outside work for pay to the Director quarterly. Scheduling of the part-time CA staff member's Laboratory work assignments is in all cases to be based on the needs of the Laboratory, as determined by the staff member's department head.

Appendix V: Academic Rights and Responsibilities

Michigan State University adheres to the principles of academic freedom with correlative responsibilities as stated by the American Association of University Professors, the Association of American Colleges and other organizations. See the University policy on Faculty Academic Rights and Responsibilities for further detail.

Appendix VI: Procedures for the Dismissal of CA Staff for Cause

1.0 A CA staff member (whether on probationary appointment or with continuing status) may be dismissed for cause, including but not limited to:

- intellectual dishonesty;
- acts of discrimination, including harassment, prohibited by law or University policy;
- acts of moral turpitude;
- theft or misuse of University property;
- incompetence;
- refusal to perform reasonable assigned duties;
- use of professional authority to exploit others;
- violation of University policy substantially related to performance of staff member responsibilities;
- conviction of violation(s) of law(s) which are substantially related to the fitness of staff members to engage in teaching, research; service/outreach and/or administration,
- other such actions which impair the intellectual integrity for which the Laboratory and University strive;
- recurring failure to meet staff responsibilities

In situations where dismissal is not sought, the Policy and Procedure for Implementing Disciplinary Action Where Dismissal is Not Sought from the Faculty Handbook will be followed.

2.0 In instances of dismissal for cause other than recurring failure to meet staff responsibilities, the following procedures will apply.

2.1 When the Director is considering dismissing a staff member for cause, the Director shall arrange for a personal conference with the CA staff member. At this point, the difficulty may be resolved by mutual agreement or the CA staff member may resign. If the CA staff member does not resign, the Director shall prepare a written statement of the basis for dismissal, which will be provided to the CA staff member. Following notice of intent to dismiss, the staff member shall have 7 calendar days to request in writing a formal hearing with the Director to challenge the dismissal.

2.2 In the hearing, the CA staff member and the relevant Department Head shall have the opportunity to call witnesses and present evidence related to the dismissal action. The CA staff member may choose to be advised by counsel in this hearing. Counsel must be a member of the University community (faculty, staff, or student) unless there are criminal charges pending against the staff member related to the dismissal proceedings. Counsel may advise and consult with her/his client but may not participate in the hearing itself. Failure of the CA staff member to agree to participate in the formal hearing shall not prevent the Director from recommending dismissal action.

2.3 Within 14 calendar days of the conclusion of the hearing, the Director shall inform the CA staff member and Office of the Provost in writing of her/his decision concerning the dismissal action. If the decision is to dismiss the CA staff member, the termination shall be effective 30 calendar days from the date of the decision.

2.4 Within 10 calendar days of receiving the Director's decision, the CA staff member may submit a written appeal to the Director. The appeal must allege that there has been a prejudicial violation of these procedures or that the decision of the Director is not consistent with a preponderance of the evidence presented at the hearing. The dismissal action shall be held in abeyance pending the appeal; however, the staff member will be placed on a leave of absence without pay for the duration of the appeal. Within 14 calendar days, the Director must forward the written appeal (and any supporting documentation) to

the Provost or designee, along with a copy of the Director's hearing decision, any written statements or evidence provided by the parties at the hearing, and the Director's response to the appeal. The Provost or designee shall issue a final decision on the appeal within 20 calendar days.

3.0 In instances of dismissal for recurring failure to meet staff responsibilities, the following procedure will apply.

3.1. Probationary Appointments: If, in the Director's judgment, performance problems of a probationary CA staff member are serious enough to consider dismissal for recurring failure to meet staff responsibilities, she/he will meet with the CA staff member to discuss the concerns. The difficulty may be resolved by mutual consent at this time. If not, the Director will inform the staff member in writing that she/he has convened a Reappointment-Promotion Committee and asked them to review the stated charges. The procedures specified in Section 8 Procedures for Recommending Reappointment, Promotion, and Continuing Status of this document will be utilized by the Committee in reviewing the case. The Committee will have 30 calendar days to make a recommendation to the Director regarding dismissal.

3.2. Within 10 calendar days of receiving the committee's recommendation, the Director will issue his/her decision regarding the dismissal. If the decision is made to dismiss the CA Staff Member, the Director shall obtain the concurrence of the Provost or designee and provide written notice of dismissal to the staff member. Dismissal is effective 30 days from the date of the decision.

3.3. Continuing Appointments: If, in the Director's judgment, performance problems of a CA staff member with Continuing Status are serious enough to consider dismissal for recurring failure to meet staff responsibilities, the following procedure will be followed. The Director shall meet with the CA staff member to discuss the concerns. The difficulty may be resolved by mutual consent at this time. If not, the Director will inform the staff member in writing that she/he has formed a special committee to review the stated charges. The Committee will consist of two individuals from each of the professional categories and two Tenure System faculty or FRIB/NSCL faculty. The Committee will utilize the procedures specified in Section 8 Procedures for Recommending Reappointment, Promotion, and Continuing Status of this document. The Committee will have 30 calendar days to make a recommendation to the Director regarding dismissal. Within 10 calendar days of receiving the Committee's recommendation, the Director will issue his/her decision regarding the dismissal. If the decision is made to dismiss the CA staff member, the Director shall obtain the concurrence of the Provost or designee and provide written notice of the dismissal to the staff member. The dismissal will be effective 30 calendar days from the date of the dismissal notice. Alternatively, the Director may provide the staff member with written notice that he/she has failed to meet staff responsibilities on a recurring basis and that he/she will be dismissed if performance is not improved to acceptable levels within a reasonable period of time (generally 3 months). At the conclusion of this period, the Committee will review the staff member's performance again and provide a recommendation to the Director. After receiving this recommendation, the Director may determine that the individual has continued to fail to meet staff responsibilities. After seeking the concurrence of the Provost or designee, the Director may provide the staff member with written notice of dismissal. The dismissal will be effective 30 calendar days from the date of the decision.

3.4. Within 10 calendar days of receiving notice of dismissal, the CA staff member may submit a written appeal to the Director. The appeal must allege that there has been a prejudicial violation of these procedures or that the decision of the Director is not consistent with a preponderance of the evidence presented to the Committee. The dismissal action shall be held in abeyance pending the appeal; however, the staff member will be placed on a leave of absence without pay for the duration of the appeal. Within 14 calendar days, the Director must forward the written appeal (and any supporting documentation) to the Provost or designee, along with a copy of the Director's notice of dismissal, any written statements or evidence provided by the parties to the Committee, and the Director's response to

the appeal. The Provost or designee shall issue a final decision on the appeal within 20 calendar days.

Appendix VII: Disciplinary Action Where Dismissal is Not Sought

In cases of disciplinary action where dismissal is not sought, the policy as found in the MSU Faculty Handbook, Policy and Procedure for Implementing Disciplinary Action Where Dismissal is Not Sought, will be followed.

Appendix VIII: Annual Review and Salary Determination

Prior to submitting salary adjustment recommendations, each Department Head shall annually review the contributions of the CA staff members in her/his department. This review will be based on (a) a review of an evaluation folder prepared by the staff member; (b) opinions solicited from other members of the Laboratory; and (c) other sources of relevant information. The Department Head will formulate salary adjustment recommendations based on these reviews. Based on an assessment of these recommendations and University salary guidelines, the Director will make salary recommendations to the Provost or designee.

Each CA staff member shall have the right to receive a written explanation of her/his salary increase from the Department Head and Director, if so requested.

Appendix IX: Administrative Structure of the FRIB

While this document refers only to department heads and the director, in all cases the FRIB organizational structure shall be followed. That is appointment recommendations, grievances and other matters should be routed through the FRIB structure currently in effect.