

4.1 Appendix B: Retentions & Pre-Emptive Retentions

1. General

A retention may occur if a faculty member has received a formal offer that includes proposed terms such as rank, salary, start up support, etc. A pre-retention may occur if a faculty member is in the process of being recruited, but has not yet received an offer.

With prior approval of the Senior Associate Vice Chancellor, departments are permitted to prepare a retention file for a faculty member who is being recruited by another institution in the case that the department desires to counter the offer in an effort to retain the appointee. Likewise, with prior approval of the Senior Associate Vice Chancellor, departments are permitted to prepare a pre-emptive retention file if there is evidence of a credible threat of a potential or pending offer from a comparable educational institution. These files may be submitted at any time of the year.

Retention files are typically urgent and departments are encouraged to contact their school dean's office as soon as the need to submit a retention file arises to ensure its rapid review. If the appointee must respond to an outside offer by a particular date, the departmental recommendation letter should indicate this deadline and also note it on the Review Summary Form.

The department chair is responsible for ensuring that the departmental recommendation letter includes a discussion of how the competing institution compares to UC San Diego, as well as including a copy of the outside offer letter in the retention file, or evidence of a credible threat, such as an invitation to interview, or a potential or pending offer, as well as demonstrate how the loss of a candidate would be significant.

For offers from foreign institutions, the presumption is that the offer is for a fiscal year basis. The department chair is responsible for ensuring the proper conversion of the foreign offer to an academic year basis. The salary conversion is performed using foreign exchange rates in effect on the date of the outside offer letter. Include a copy of the salary conversion with the file.

2. Pre-Approval

Pre-approval is required when requesting a new or increased market off-scale salary component (MOS) in the form of a retention or pre-emptive retention.

- If a dean agrees that a market off-scale salary is justified, they will contact the Sr. Associate Vice Chancellors, Academic Affairs (Sr. AVC-AA), and if available, provide the compiles file materials. In addition to addressing the scholarly contributions of the faculty member and the value they bring to the campus community, discussion should include analysis of the competing offer or imminent external threat and how the educational institution/department compares to UC San Diego. The Sr. AVC-AA should also be provided a copy of the outside offer letter (retentions) or documentation

proving imminent outside threat (pre-emptive retention); and a discussion of whether the proposed salary increase will create salary inequity or compression with the department.

- If in agreement, the Sr. AVC-AA will provide written approval of the market off-scale salary (email is acceptable). This pre-approval must be included in the retention or pre-emptive retention file when it is submitted to Academic Personnel Services.
- Retention and pre-emptive retention files will follow regular campus review procedures.

3. Retention & Pre-Emptive Retention Files

a. Departmental Letter

When submitting a retention and/or pre-emptive retention file, department chairs are responsible for ensuring that the departmental recommendation letter includes a discussion of how the competing institution compares to UC San Diego and demonstrate how loss of a candidate would be significant. For offers from foreign institutions, the presumption is that the offer is for a fiscal year basis. The department chair is responsible for ensuring the proper conversion of the foreign offer to an academic year basis.

b. Proof of Outside Offer or Evidence of Credible Threat

Retention files must include a signed copy of the offer letter from the competing institution. (Alternatively, the institution may send the letter on institutional letterhead as an e-mail attachment.) The offer should include all of the major terms of employment (rank, step, salary, effective date) and must be issued by a high-level administrator, such as a dean or provost. In a pre-emptive retention, evidence of a credible threat from a comparable educational institution must be included. Offers from foreign educational institutions are presumed to be fiscal year and must be converted to US dollars as of the date of the foreign offer letter and converted to an academic year salary (if applicable).

c. Sr. AVC-AA Pre-Approval

Documentation showing pre-approval from the Sr. Associate Vice Chancellor, Academic Affairs, should be included as part of the file when submitting a retention or pre-emptive retention file for review.

4. Embargo Periods

If approved and awarded, retention and pre-emptive retention actions impose an embargo period during which no additional retention requests may be considered. Embargos are imposed as outlined below:

Retention/Pre-emptive Retention Amount	Embargo Period
Less than \$15,000	3 Year Embargo
\$15,000 and above	5 Year Embargo