



VACANCY REVIEW BOARD GUIDELINES & FAQs

RESPONSIBILITIES

College/School

- The campus VP of Finance and Administration will serve as local “gatekeeper,” responsible for all submissions.
- Colleges must establish their own VRB equivalent for approving submissions, comprised of the VP of Finance and Administration, HR Director and a representative from the Provost’s Office.

It is the colleges’ responsibility to consider the function of each position and its direct impact on core and essential business operations before seeking an exception. Colleges should also take the following actions:

- Establish guidelines for submissions. Colleges may continue their current processes for requesting and approving positions (such as the HEO screening committee) or amend their process by instituting a Vacancy Review committee for their campus; however, only the President has the final authority to move any position forward for consideration by the Vacancy Review Board.
- Review Part-Time Teaching and Non-Teaching positions to ensure that resources are used in the most efficient, effective and strategic manner.

HR Advisory Services/Civil Service Support (CSS)

- Advisory/CSS will review all campus worksheets for policy guidelines, provide compensation analysis in preparation for weekly VRB meeting.

Vacancy Review Board (VRB)

- The VRB will review every campus spreadsheet on a weekly basis and provide questions, feedback and decisions to Advisory/Civil Service Support for appropriate action/follow up.

PROCEDURE

- The VRB is the final step in the review process. Campuses should continue to adhere to all action processes in place prior to submitting requests to the VRB. The VRB does not replace the regular review/approval process for actions including but not limited to search waivers and reclassifications. Action must still be presented to Campus P&B, HEO Screening, and Labor Management Committees.



- Once these existing reviews are complete, and campus Human Resources and the VP of Administration and Finance are notified, requests can be submitted by uploading the required spreadsheet to the VRB SharePoint page with the college President or Dean copied.
- Central Office requests will require the approval of the respective Senior or Executive Vice Chancellor.
- Colleges should submit all required documents to HR Advisory/Civil Service Support for actions per usual practice/process.
- Classified requests submitted to Civil Service Support should be uploaded to SharePoint and submitted to vrb@cuny.edu
- In general, Colleges should be able to view the results of the VRB review by accessing their respective files on SharePoint by EOD each Monday.
- Requests that miss the deadline will not be considered until the next VRB cycle.
- Requests outside of the process will not be considered.

REQUESTS EXEMPT FROM VRB REVIEW

Assumes CUNY tax levy funded and no salary increase unless otherwise specified.

Non-tax levy requests as described below continue to require VRB review.

- Collective bargaining related salary increases
- Settlement agreements
- Supplements, differentials and stipends
- ECP interim extensions
- Classified Employees
 - Temporary employee extensions
 - Change of employee status due to appointment from a civil service list (e.g., provisional to probable permanent)
 - College Assistant appointments
 - Skilled Trades
 - Public Safety (Campus Peace Officer, Campus Security Assistant
 - Maintenance (Maintenance Worker, Laborer & Custodial Assistant)
- Instructional Employees
 - Faculty tenure promotions with no salary increase
 - Faculty title promotions (assistant to associate, associate to full professor) with a slide to the nearest salary step
 - Substitute Lecturer and Substitute Lecturer Doctoral Schedule appointments
 - Distinguished Professor appointments



- Summer salaries
- Faculty hired using the \$53 million of State funds; must be hired for the Fall 2023 semester at the latest
- Non-Teaching Instructional Employees (HEO Series and CLTs)
 - Substitute extensions (first extension for max 1 year appointment)
 - Graduate Assistant appointments
 - Reclassifications with a slide salary to the nearest step
 - Non-Teaching Adjunct appointments
 - Tutor and Peer Mentor appointments
 - Continuing Education Teacher appointments
 - Additional Hours for part-time employees

REQUESTS NOT CURRENTLY BEING CONSIDERED; please do not submit:

- × Merit increases
- × Cost of living increases
- × Pay increases in excess of 10% (unless involving a substantially higher-level position)
- × Pay changes with a retroactive date of **more than one month**
- × ECP appointments or increases that are above the maximum of the compensation range



GENERAL VACANCY REVIEW BOARD GUIDELINES

- All actions that result in an addition to headcount, or salary increase must go to the VRB unless otherwise specified. Personnel actions are defined as promotions, increases in pay based on merit, step increases, or any other change that increases compensation expenses other than those required by a collective bargaining agreement.
- The Vacancy Review Board will consider exceptions that fit the following criteria:
 - Demonstrate a direct relationship to safety, academic excellence, recruitment and retention, strategic investments, operational disruption, risk management, or cost reduction.
 - Paid with state or city tax levy operating and capital funds, funds held by the NYS treasury (Income Fund Reimbursable), funds held by NYC (ACE, Tech Fee, Non Misc. Income), non-tax levy funds in unincorporated entities or accounts, and tax levy supported non-grant funds at the Research Foundation (RF).
 - Colleges can continue to hire grant funded positions on the RF, if, and only if, there is a clear understanding that the position is only funded if the grant funds exist.
 - Funding from State or City appropriations or from City Council or similar funds are NOT considered grant funds.
 - Colleges can continue to hire positions funded with other separately incorporated affiliated entity revenues, only after direct consultation with the college President. Prudence is highly encouraged due to predicted financial shortfalls at those entities.
- The VRB will also consider campus staffing levels and the current and projected financial condition of the campus. They may also consult with University and College subject-matter experts when needed.
- All requests **must** include detailed calculations as to how each will be funded, where resources will be re-allocated or how revenue will be generated. **Requests without this level of detail will be returned without review.**
- If the campus is submitting a considerable number of requests and/or reorganizations, a staffing plan will be required. A staffing plan should include details regarding what the campus is trying to accomplish, including a brief narrative, information regarding funding, and a list of vacancies and/or personnel actions.



FREQUENTLY ASKED QUESTIONS

Q: How will search waivers be handled?

A: The regular process for search waivers and employee actions will still apply. Once the Office of Human Resources and the Office of Recruitment and Diversity have reviewed submissions, you will be given the OK to submit your request to the VRB inbox.

Q: What is the difference between a vacancy request and a personnel action request?

A: A Vacancy Request is to commence a search or appoint a new hire. A Personnel Request is an action necessary for a current CUNY Employee such as a reclassification, functional title change, or salary change.

Q: What is the difference between a New Position and a Replacement?

A: If the position was newly created or if the position has been vacant for more than 1 year, it should be considered New.

Q: If a candidate worked for a CUNY college before, but had a break in service and is being rehired, is this considered a new hire for VRB purposes?

A: Yes.

Q: Do we need to submit a request to begin a search or post in CUNYfirst and fill the position?

A: Yes, a request needs to be submitted to begin a search and a second request needs to be submitted to fill the position.

Q: Do we need to submit a request to make an offer for a position already approved by the VRB?

A: No, if the offer is within the compensation range approved by the VRB then no additional approval is required and an offer may be extended.

Q: How will postings be handled?

A: The college should go through the current process with campus HR directors approving the job description. The college would then complete the Vacancy Review Request portion of the SharePoint spreadsheet for VRB review.

Q: How often will the VRB be meeting and what is the cutoff for submissions?

A: Meetings are on Fridays and the submission deadline is Noon the prior Thursday (4 business days).

Q: Do summer adjunct appointments have to be reviewed by the VRB given that they are only appointed for classes that produce revenue for the colleges?

A: Colleges should submit an overall plan for multiple part-time appointments rather than individual submissions for approval.



Q: We received VRB approval to hire from a search, but the candidate in the request has denied the offer or rescinded their acceptance of the appointment, do we need to submit another request?

A: As long as the appointment is within the initially submitted salary range, the campus does not need to submit another request.

NON-TEACHING INSTRUCTIONAL STAFF

Q: Is VRB approval required to appoint a new substitute HEO?

A: Yes.

Q: Is VRB approval required to appoint a substitute from a search?

A: Yes.

Q: Is VRB approval required to appoint a new interim ECP?

A: Yes.

Q: How will reclassifications with slides instead of step increases be handled? (For example, an aHEO going into a HEOa title may be moving from a salary of \$86,188 to \$86,645).

A: Reclassifications with a slide do not need VRB review, but still must follow the current review process with campus Human Resources and UHR/Advisory Services.

Q: Are functional title changes allowed?

A: At this time, functional title changes without a change in compensation should continue through their current approval process and **do not** require VRB approval.

Q: Do Graduate Research Assistants have to be reviewed by the VRB?

A: No, see pp. 2-3 for list of titles and actions exempt from VRB requirement.

Q: Most PhD students have NTA appointments to qualify for NYSHIP with the funds being reimbursed by grants. Do these have to be reviewed by the VRB?

A: No



INSTRUCTIONAL STAFF

Q: If a candidate served as a College Assistant, HEO, etc., and is receiving a new Adjunct assignment but has continuously worked, is this considered a new position for VRB purposes requiring approval?

A: Yes.

Q: Do faculty promotions without an additional step increase need to go to the Board for approval?

A: At this time, Faculty promotions without increased in compensation due to step movements should continue through their current approval process and do not need VRB review.

Q: Are Distinguished Professor reviews and recommendations subject to the VRB?

A: No.

Q: Are Sabbaticals/Fellowships already in progress subject to the VRB?

A: No. Presidents have discretion subject to financial ability.

Q: Are Salary Above Base offers subject to review by the VRB?

A: Yes.

Q: Are tenure recommendations reviewed by the VRB?

A: No

FUNDING SOURCES

Q: What types of Tax Levy funds are in the scope of the VRB?

A: All Tax Levy and Related Funds are in scope, including State and City Tax Levy operating funds, City Council and State Legislative, Capital funds that cover administrative salaries, Adult and Continuing Education, Technology Fees, Academic Excellence Fees, and other deposits and fees at the State (Income Reimbursable Funds) and City (Non-Misc. Income).

Q: What types of Non-Tax Levy funds are in the scope of the VRB?

A: Non-Tax Levy (NTL) Funds from unincorporated affiliated entities or accounts, when the NTL funds are used for purposes other than for the affiliated entities, are in scope, including:

- Ledger 9 (mostly indirect cost recoveries but also closeout and release time funds)
- Ledger 7 (College Misc.) includes non-grant funds that are deposited with the RF, mostly for payroll purposes
- Ledger 5 (State and City Funds), if there is no MOU between the State and City naming the RF as the fiscal agent, or if they are clearly for grant purposes
- Ledger 2 – Central Allocation Budget funds (applicable to central office only)

Q: What types of funds are NOT in the scope of the VRB?

A: Separately incorporated affiliated entities (may include Student Associations, Auxiliaries, Child Care Centers, Performing Arts centers, etc.) are not included if the funds are being used for the purpose of that entity. Entities must be able to cover fully all salaries (full and part time staff) on their own. Entities must seek direct consultation with respective college President prior to any personal actions (hiring, promotions, increases, etc.). For Research Foundation (RF) funds, the following are NOT in scope:

- Staff whose salaries are covered by a grant for the purposes of the grant. All employees hired with these grant funds must sign a written acknowledgement that states they understand their employment is contingent on the college continuing to receive the funds.
- Ledger 4 (federal grant funds)
- Ledger 5 and 6 (State and City grant funds, in which an MOU between the RF and City or State exists, see above)
- Ledger 7 (private grant funds)
- Intra-RF transfers between RF funding sources

Q: Are faculty startup funds from philanthropy transferred to RF 9th ledger accounts for payroll, graduate students, and post docs reviewed by the VRB?

A: Start Up funds and Post Docs should not be subject to VRB approval. Personnel being hired with 9th Ledger will be reviewed by the VRB unless earmarked by the philanthropic gifts for said purposes.