

## Review and Proposed Disposition of Position Papers

1. Title: **Position Paper No. 5: The Academic Librarian in the University of California**
2. Recommendation: Reaffirm with updating
3. Justification:
  - a. History: This position paper was originally created in response to a need to develop a statement articulating the professional duties and responsibilities of librarians in UC. Drafts were developed in the late 1970's but not finalized. In 1980, when Library Council began to discuss definitions of the Library Assistant series, LAUC determined that a definition of librarian was also needed. The position paper was adopted in January 1983, and revised in 1989 to accommodate changes in the LAUC By-laws.
  - b. Today's reality: The position paper continues to define the broad range of responsibilities of academic librarians in UC as professionals and as academic appointees of the University. The references used from the LAUC *By-laws*, the *United States Code*, the *California Code* to articulate the responsibilities are still valid. Since there have been some changes in references, however, the position paper should be reviewed to incorporate references to the MOU and update references to the peer review process.

#### 4. Summary

The position paper remains valid in defining the academic librarian in the UC system, and should be retained. Some minor revision is needed to update references to current documentation and practice.

LS 9/20/04

**29 USC Sec. 152**

01/22/02

TITLE 29 - LABOR

CHAPTER 7 - LABOR-MANAGEMENT RELATIONS

SUBCHAPTER II - NATIONAL LABOR RELATIONS

Sec. 152. Definitions

(12) The term "professional employee" means -

(a) any employee engaged in work (i) predominantly intellectual and varied in character as opposed to routine mental, manual, mechanical, or physical work; (ii) involving the consistent exercise of discretion and judgment in its performance; (iii) of such a character that the output produced or the result accomplished cannot be standardized in relation to a given period of time; (iv) requiring knowledge of an advanced type in a field of science or learning customarily acquired by a prolonged course of specialized intellectual instruction and study in an institution of higher learning or a hospital, as distinguished from a general academic education or from an apprenticeship or from training in the performance of routine mental, manual, or physical processes;

<http://uscode.house.gov/search/criteria.php>

## CALIFORNIA CODES

### GOVERNMENT CODE

**Section 3562.** As used in this chapter:

(o) "Professional employee" means:

(1) Any employee engaged in work: (A) predominantly intellectual and varied in character as opposed to routine mental, manual, mechanical, or physical work; (B) involving the consistent exercise of discretion and judgment in its performance; (C) of a character so that the output produced or the result accomplished cannot be standardized in relation to a given period of time; and (D) requiring knowledge of an advanced type in a field of science or learning customarily acquired by a prolonged course of specialized intellectual instruction and study in an institution of higher learning or a hospital, as distinguished from a general academic education or from an apprenticeship or from training in the performance of routine mental, manual, or physical processes.

<http://www.leginfo.ca.gov/cgi-bin/waisgate?WAISdocID=71900115121+0+0+0&WAIAction=retrieve>

## LAUC By-laws

### Article II. Duties and Responsibilities

Section 1. LAUC is authorized to serve in an advisory capacity to the University on professional and governance matters of concern to all librarians.

Section 2. LAUC shall advise the Office of the President\*, the campus administration, and the library administration on the operations and policies of the libraries.

Section 3. LAUC shall advise the Office of the President, the campus administration, and the library administration on professional standards, rights, privileges, and obligations of members of the librarian series of the University.

Section 4. LAUC shall advise the Office of the President, the campus administration, and the library administration on the planning, evaluation, and implementation of programs, services, or technological changes in the libraries of the University.

Section 5. LAUC shall not advise the Office of the President, the campus administration, or the library administration with respect to matters which are covered by a Memorandum of Understanding or are otherwise subject to negotiation with an exclusive bargaining agent.

<http://www.ucop.edu/lauc/bylaws-2002.html>