

Revised March, 1986

AMERICAN PSYCHOLOGICAL ASSOCIATION

GUIDELINES FOR CONDITIONS OF EMPLOYMENT OF PSYCHOLOGISTS^{1/}

INTRODUCTION^{2/}

The Committee on Academic Freedom and Conditions of Employment (CAFCOE) was established by the American Psychological Association's Board of Directors in 1949 in a climate of concern for employment conditions which precluded free inquiry and adequate professional functioning of psychologists employed in institutional settings. CAFCOE's mission included a directive to formulate policies that would foster equitable relationships between psychologists and their employers and would promote the development of professional competence. The Guidelines for Conditions of Employment of Psychologist (APA, 1972) [was] were developed in 1971 and [was] were adopted as a policy statement of the Association that year.

1. This version of the Guidelines was adopted by the Council of Representatives of the American Psychological Association on _____, 1986. The original Guidelines were written by members of the Task Force on Conditions of Employment of Psychologists, Philip Ash, Jerry W. Carter, Jr. and Robert Reiff (Chair). The Committee on Academic Freedom and Conditions of Employment developed the present revision. Members were Jeanne E. Gullahorn (1986 Chair) Leon H. Levy (Past Chair), Ethel Craven, Laurel Furumoto, and Murray Levine. Former CAFCOE members Helena M. Carlson, June E. Chance (1982 Chair), Gordon Derner, Cherin Silver Elias (1981 Chair), Erasmus Hoch (Partial 1985 Chair), M. Marilynne Kelby (1980 Chair) Jacqueline Macaulay (1983-84 Chair), Priscilla Meyer (1978-79 Chair), Shirley Sanders, Guy Seymour, Carolyn Wood Sherif, and Allen R. Solem served on the committee during the time the Guidelines were being revised.

These Guidelines should not be treated as or substituted for the Ethical Principles of Psychologists.

2. Inquiries concerning the Guidelines and requests for reprints should be addressed to the Office of Social and Ethical Responsibility, American Psychological Association, 1200 Seventeenth Street, N.W., Washington, D.C. 20036.

In the decade that followed, CAFCOE acquired a broader understanding of the problems encountered in psychologists' employment relationships. Although changes in the economic and social climate have been associated with changes in the nature of the most common problems brought to CAFCOE's attention, unfair and discriminatory treatment has persisted. APA members continue to call upon their professional association for help in a wide variety of situations, ranging from employment discrimination and unjust dismissal to unprofessional treatment and general unfairness in the structuring of employment relationships. As predicted by the writers of the original Guidelines, CAFCOE's experience made it apparent that revision was needed. The present revision represents the work of CAFCOE members from 1979 to [1984] 1985.

As before, the revised Guidelines set forth both the expectations employed psychologists may properly anticipate will be met by their employers and the obligations that employers may properly expect psychologists to meet. These Guidelines are not intended as an accurate or complete summary of the laws governing the relationship between a psychologist and an employer or prospective employer. The laws governing that relationship may vary from state to state, and may depend upon unusual factual circumstances in each case. Insofar as these Guidelines discuss legal points, the discussion should be understood as reflecting APA's opinion of how legal issues should be resolved. This document is intended both for the institutions, agencies, clinics and businesses that employ psychologists and for the employed psychologists themselves.^{3/} The focus is on matters that arise in the course of forming

3. The Guidelines are not designed for psychologists who have an independent practice or who are in partnerships or incorporated groups.

and maintaining an employment relationship. Other aspects of psychologists' professional responsibilities are covered in the APA documents that are listed in the appendix at the end of this document.

In promulgating the revised Guidelines for Conditions of Employment of Psychologists, the American Psychological Association seeks to promote a working environment of mutual respect and shared responsibility between psychologists and their employers. Some of these guidelines [standards] are ones which all employers and employees should observe simply to preserve the dignity of the working environment. Others reflect unique aspects of psychologists' roles and the problems sometimes encountered in achieving and maintaining academic freedom and the professional standards set forth in other APA guidelines.^{4/} APA urges psychologists and their employers, as they structure their employment relationship, to consider explicitly each of the matters covered in these Guidelines. Even where the terms of an employment contract are set by civil service regulations or union negotiation, the Guidelines can serve as signposts [to] for development[s] of model working relationships.^{5/}

ENTRY INTO THE PROFESSION

In addition to the relevant educational background, which generally requires the possession of the doctoral degree earned in a program primarily psychological in content, entry into the profession of psychology typically requires supervised experience. For those entering teaching and research,

4. Standards for Providers of Psychological Services, APA (1977).

5. APA recognizes the right of psychologists who chose to do so to engage in collective bargaining.

supervised experience in teaching and conducting research is generally expected. For those entering practice in human services or in certain other organizational settings, an internship, practicum training or other experience supervised, at least in part, by a psychologist is generally expected. Those who provide services to culturally or linguistically diverse populations, [or] to sexual minorities, or diverse age groups should have appropriate training and experience and/or access to consultation and supervision as they develop broader competency.

Psychologists who offer their services for a fee, either as independent practitioners or as salaried employees of a clinic, other institution, or organization, must also have the appropriate certification or license as required by the laws of the state in which they practice.

RECRUITMENT

Non-Discrimination and Affirmative Action

APA supports equal opportunity employment practices. Recruitment, hiring, reappointments and promotions should be made without regard to color, sex, race, age, religion, national origin, political persuasion, physical handicap, sexual orientation and marital or parental status. Exceptions to this principle may be made in order to meet a bona fide professional requirement or where a religious institution has announced a preference for members of the same or similar religious denominations^{6/} or where selection is made in compliance with affirmative action goals designed to implement national and state fair employment policies.

6. The APA Criteria for Accreditation of Doctoral Training Programs and Internships in Professional Psychology requires that institutions with religious criteria for employment carefully document their selection procedures in order to insure that the required creedal allegiance does not result in violations of academic freedom or faculty and student rights or affect the quality of training, teaching or research.

Employers should be aware that asking a job candidate about marital status, family plans, or a spouse's employment plans or basing an employment decision on such factors is, in APA's view, discriminatory. Candidates with handicaps or family responsibilities which might curtail performance flexibility should initiate any necessary job-relevant discussion of such matters.

APA urges all employers to develop effective affirmative action programs to correct underrepresentation of protected groups at all levels and in all areas where psychologists are employed, and encourages all employed psychologists to take an active part in promoting such affirmative action by their employers whenever possible.

Recruiting Procedures

1. APA recommends that all open positions [should] be publicly advertised except those that are to be filled from within the organization. Positions that are unofficially already filled, and so not really open, should not be advertised; applicants for such positions should be notified of the situation.
2. APA recommends that advertisements [should] conform to the standards established by APA, which are published monthly in the APA Monitor advertising section. A copy of these standards [are] is available from APA, 1200 Seventeenth St., NW, Washington, D.C. 20036
3. APA recommends that positions [should] be advertised in such manner and in such places that members of groups for whom affirmative action is appropriate are notified of the opening and encouraged to apply. APA can assist employers who need information on how and where to advertise for underrepresented group members.

4. APA recommends that employers should allow ample time for receiving and seriously considering applications submitted in response to advertisements before employment decisions are made.
5. APA recommends that employers should acknowledge receipt of materials from applicants in a timely manner and inform applicants of the next stages in the review and selection process.
6. APA recommends that employers [should] notify applicants of the termination of the search process.

Part-Time, Temporary and Non-Standard Positions

1. Temporary, nontenure-track academic, limited term, and part-time employment opportunities should be identified clearly as such, both in advertisements and in discussion with applicants. Employers should indicate under what conditions part-time employees are offered proportional fringe benefits, such as retirement benefits and partial medical insurance, with the option of making payments themselves to achieve full coverage.
2. APA encourages employers to provide permanent or tenure-track part-time employment and alternative work patterns such as job-sharing for those who want them. Employers should consider offering alternatives to the usual full-time schedule as part of their affirmative action plan.

THE INTERVIEW

Employment interviews should be conducted in a professional manner with the goal of creating an atmosphere of mutual respect in which frankness and honesty prevail. The following guidelines are designed to promote achievement of this goal:

1. Employers should answer openly and honestly all questions pertaining to job duties, performance evaluation, promotion practices and any other career-related matters that are of importance to the applicant.
2. Job candidates, in turn, should furnish open and honest answers to questions about their ability to do the job and their expectations and career plans.
3. When a candidate is invited for an interview, the employer should clearly specify the extent of reimbursement allowed for expenses.

JOB OFFERS AND EMPLOYMENT AGREEMENTS

Open, explicit communication between employer and employee concerning rights and responsibilities throughout the entire relationship is the best means of preventing employment disputes. From the beginning of job negotiations, both employer and candidate should work toward arriving at a clear, mutual understanding on such matters as job duties, professional prerogatives, salaries, promotion opportunities and evaluation procedures.

Job Offers

Job offers should be made in writing by a person with authority to communicate firm offers from the employer. The letter should include the [all] information needed for an informed choice by the candidate. Whether the letter is intended to serve as a formal employment contract or not, it should cover the matters listed below or refer to amplifying documents, such as union contracts, that are enclosed with the letter or available upon request.

1. Level and/or title of the job, full or part-time status, length of initial appointment and possibilities for reappointment and promotion.

2. A job description or summary of the major responsibilities of the position to be filled. This should include such details as experience and/or credential requirements, supervisory or administrative duties, privileges and access to institutional resources and, for academic jobs, course load and expected teaching areas and student advising responsibilities. Many details can be left to amplifying documents but what is unique to the position should be covered specifically.
3. Whether the offer is fully approved or whether some additional approval remains to be sought.
4. Conditions attached to appointment. Requirements of certification or completion of a degree, adjustments in title and salary to be made on fulfillment of such conditions and consequences of failure to fulfill them by a certain date should be specified.
5. Salary and benefits, including reimbursement of moving expenses. Any known uncertainty about the reliability of funding for the entire period of an appointment should be clearly described, including the probable effect of funding loss. Where fringe benefits are limited after specific ages, such limitations should be clearly stated.
6. Any restrictions the employer may have on such matters as leaves of absence, outside consulting and applying for research funds.
7. Performance criteria that must be met for continuation of employment and promotion.
8. If there is an age of mandatory retirement, it should be specified.
- [8] 9. Notice requirements for termination, and conditions under which termination may take place, should be specified as clearly as possible.

Amplifying documents that accompany an offer letter might cover general matters such as fringe benefits, vacations, sick leave, grievance procedures, organizational structure and lines of authority, career ladders, rules and policies for conduct of research and availability of supplies, secretarial services, research resources and travel money. These amplifying documents should accurately reflect actual practices and policies existing at the time of the offer. As long as this is so and the documents are clear and readable, reference to them in the contract or offer letter makes them part of the employer-employee understanding. If there are later changes, they should be fully disclosed, in writing, to all employees.

In addition, there are some special situations in which the conditions of employment should be spelled out in particular detail at the time of making an offer.

If a part-time or alternative-schedule appointment is offered, the full conditions of employment should be specified rather than left to oral understandings that modify usual practices and policies. These conditions include the precise time obligation, rights to request or refuse future full-time status, how time will be calculated for purposes of performance evaluation, promotion, and salary decisions, and what benefits, rights and responsibilities (such as paid vacation time, use of resources, committee service and voting privileges) are curtailed.

If there are specific expectations for the new employee, such as counseling of minority or women students, administration of special programs, community liaison work or service on committees or advisory bodies, the nature of these expectations and their weight in the evaluation of the employee's performance should be explicitly stated. Employers should ensure that special responsibilities do not place undue and unrecognized service demands on women and minorities.

Employment Contracts

APA recommends that all psychologists and employers of psychologists put their employment agreement in writing and agree to be bound by its terms. Creation of a contractual relationship not only affords legal protection for both employer and employee in case of later disputes, it also helps develop mutual understanding in areas important to good working relationships. The contract may take the form of a letter with a job offer rather than a formal, standardized document, but such a letter should be comprehensive and should acknowledge the binding nature of its terms on both parties if the offer is accepted.

EVALUATION, RENEWAL, PROMOTION, TENURE AND SALARY INCREASES

APA urges employers to formulate written policies, procedures and timetables for renewal of appointments, promotion, and salary and merit adjustments. Clear communication of these should be made to new employees, both orally and in writing. All employees should be informed promptly of any changes in employment policy or procedures that affect them, preferably in writing. If a change adds new performance requirements for employees, the time limits for meeting them should be extended or consideration given to exempting [exemplifying] those already employed from meeting the new requirements.

As a form of insurance against misunderstanding, APA recommends that both employee and employer [should] keep written records of all employment related communications. Evaluation

In the interests of basic fairness and of avoiding litigation, evaluation criteria should be spelled out in meaningful detail well in advance of employment related decisions. For example, employers should let

employees know who will evaluate their performance, how and for what purpose. Employees in applied settings should know whether they are encouraged to do some research, and, if so, whether publications will be given positive weight in performance evaluation. An academic employer should describe not only the relative importance of teaching, research and service but also the methods and criteria used in evaluating each. Many new faculty need to be told with some specificity such things as how various journals are ranked, how co-authored work is evaluated and whether success in securing outside research support is important.

It is good practice in all employment settings to evaluate performance at regular intervals. The evaluation process should start with a request to the employee to provide relevant information. The evaluators should be competent to judge the employee's work; when necessary, evaluation by colleagues should be supplemented by judgments solicited from competent outside evaluators. Only those matters directly related to job performance should be taken into consideration. [Care should be taken to ensure that] Evaluation should be [is] based on valid information about performance [and is not distorted by biased or stereotypic judgments of the employee]. Ordinarily, psychologists in their clinical[/professional] activities should be supervised only by other psychologists.

The outcome of the evaluation process should be reported to the employee in a constructive manner and with specificity. It is sometimes important that the employee have a written report of the evaluation outcome in order to avoid future disputes over adequacy of performance and expectations. It is also usually helpful to the employee to be able to discuss the results with the evaluator(s) in a face-to-face meeting.

Termination

Employees should be informed from the beginning about what is likely to lead to termination of their job. This includes termination for poor performance, funding problems, and gross misconduct.

Employees should be told what notice the employer will give, what grievance procedures are available, and what rights they have on dismissal. Principles of fairness require that employees dismissed for any reason be entitled to a review of the dismissal decision. In academic settings, termination procedures should adhere to the guidelines of the American Association of University Professors.

Even if dismissal is for good cause, notice should be given sufficiently in advance of the termination date to allow the employee reasonable time to find a new position. Only in cases of dismissal for gross misconduct should the employer expect a dismissed employee to leave immediately.

RIGHTS AND RESPONSIBILITIES OF EMPLOYEES AND EMPLOYERS

The development of good working relationships between psychologists and their employers and the maintenance of dignity and mutual respect in the work place usually depend on the achievement of some basic conditions of employment. The following list of such conditions is not exhaustive but rather reflects frequently-voiced dissatisfactions and complaints. Some job situations will call for special measures to develop and maintain adequate working relationships. Employers and employees in unusual situations should give explicit consideration to special needs, using the conditions discussed here as examples of what promotes harmony of goals and fair exchanges of effort and reward.

Job Security

APA believes that job security is fundamental to development of the trust and responsibility that characterize a healthy working relationship. Job security is usually achieved through written contracts, negotiation or advance in a civil service position. However, many psychologists are in positions where funding conditions or institutional rules preclude granting of full job security. It is nonetheless important to try to grant some measure of at least conditional job security to employees whose performance has met the employer's standards over a period of time. This can sometimes be accomplished through granting rights to continue in a position as long as funds are available, priority in applying for consecutive limited term positions, and other assurances appropriate to the situation. Employers are urged to grant such rights and assurances.

The psychological benefits of job security depend on employees' trust in the employer's willingness to deal fairly. Employers should adhere to contractual arrangements for their full term and should abide by rules that offer some measure of job security. Should changes be necessary, they should be renegotiated rather than imposed.

An employee should be accepting of reasonable changes in organizational policies and practices. Economic and social changes may mean that all expectations cannot be met, and some flexibility in adjusting to changed circumstances and renegotiating expectations on the part of both employer and employee is of benefit to all concerned.

Academic Freedom, Freedom of Speech and the Right to Advocate

Psychologists, like any other employees, should be protected from threats to their job security or other sanctions because of efforts to maintain the standards of their profession or because of activities not

related to their job. Psychologists have the rights any citizen has to speak out on issues of social and moral concern. Client and community advocacy is a legitimate role for psychologists. Advocacy should be carried out openly, at appropriate times and in appropriate places. Employed psychologists should make it clear that they are not speaking for their employer and they may have some obligation to discuss the implications of their activity with their employer, but they should not thereby incur employer sanctions. APA endorses the 1940 Statement of Principles on Academic Freedom and Tenure of the American Association of University Professors (Policy Documents and Reports, AAUP, 1984) and recommends to nonacademic employers that they adopt the principles in that Statement.

APA opposes the practice of requiring loyalty oaths as a requirement for taking or keeping a position.^{7/} Such oaths, by their nature, impute guilt and serve to restrict the constitutional right of an individual to espouse unpopular views and join with others to take unpopular stands.

Professional Development

Both employers and psychologist employees benefit from employee participation in educational programs that enable psychologists to keep abreast of developments in their field and to advance professionally. Psychologists should encourage institutions and agencies that employ them to sponsor or conduct programs that enhance professional development. Employers are encouraged to support employees' independent professional development activities and to reward achievement through promotion and salary increases.

7. The term "loyalty oath" does not refer to normal oaths of office which are required by law for acceptance of positions in public employment. Examples of such "acceptable" oaths are those taken by military officers and federal civil servants. The term "loyalty oath" also does not refer to vows taken by members of religious orders. The American Psychological Association does not object to these oaths of office.

Employment Equity

APA supports efforts of psychologists to eliminate the effects of past discrimination in professional training and employment and urges all employed psychologists to take an active part in promoting affirmative action by their employers whenever possible.

APA supports efforts of psychologists to achieve equity in professional salaries. This includes efforts to achieve salary equity for all psychologists in equivalent positions. Salary equity should extend to compensation in retirement and other benefits.

The Employment Environment

The employer should provide a physical and psychological environment that is conducive to good job performance and that allows psychologist employees to meet the standards and guidelines that APA has set for their work (see list at end of this document). Changes in policies and practices that affect employees should be promptly communicated to them.

The Employed Psychologist's Role and Responsibilities

Psychologists are responsible for carrying out the full functions and obligations of their positions. Psychologists have the responsibility to make clear and explicit to themselves, their colleagues and their coworkers the nature of their role and responsibilities and to prepare themselves adequately for new and emerging roles.

The primary responsibility of the psychologist in a professional role is to the client. The psychologist must resolve conflicts of interest between the employer agency and the client on the basis of this responsibility.

As stated in the APA Code of Ethics, psychologists must recognize their responsibility to render only those psychological services which they are competent, by reason of education, training and experience, to deliver.

The individual psychologist, whether practitioner, teacher or researcher, is professionally accountable for the consequences and effects of his or her services. This responsibility cannot be shared, delegated or reduced.

It is the psychologist's responsibility to be aware of and adhere to APA standards and guidelines governing the conduct of his or her work (see references at the end of this document). Employers should neither request nor expect that these standards be violated. Psychologists' efforts to reach and maintain these professional standards should not be met with punitive employer responses. Psychologists should refuse to participate in professional, research or educational activities that run counter to the promotion of human welfare.

APA opposes attempts of other professions to define the roles and responsibilities of psychologists. It is the policy of APA that psychology, as an independent profession, is entitled to parity with other health and human service professions in institutional practice. Psychologists should work toward this goal in their own places of employment and should support other psychologists' efforts toward these ends.

Psychologists are committed to the development of the highest possible quality in teaching, research, and the delivery of psychological services. Psychologists encourage and support cooperation and integrated efforts by all those involved in promoting the science, art, and practice of psychology.

[Psychologists should not support or submit to use of invalid or irrelevant "suitability" criteria in decisions involving training, hiring, promotions, research awards or other grants of resources].

Psychologists should resist the encroachment of influences on their work that would distort or prevent the scientific and professional development of psychology.

APA opposes the extension of security classifications in nonsecret work and urges psychologists to attempt to remove such classification when it is unjustifiable. Psychologists must decide for themselves whether to undertake classified research or professional tasks. Since such work is shielded from professional scrutiny or supervision, it is the individual psychologist's responsibility to consider carefully the effect of such work on individuals and on society and to avoid engaging in activities which he or she could not, for ethical reasons, engage in if the work were not classified.

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REFERENCES

- American Association of University Professors. (1984). 1940 Statement of principles on academic freedom and tenure. Policy Documents and Reports (pp.3-9)
- American Psychological Association. (1981). Ethical principles of psychologists. American Psychologist. 36(6), 633-638.
- American Psychological Association. (1979, amended 1980). Criteria for accreditation of doctoral training programs and internships in professional psychology. Washington, DC: Author
- American Psychological Association. (1972). Guidelines for conditions of Employment of psychologists. American Psychologist. 27(4), 331-334.
- American Psychological Association. (1977). Standards for providers of psychological services. Washington, DC: Author.

Appendix

Psychologists are responsible for knowing about and acting in accord with the standards and positions of the APA, as represented in such official documents, as the following:

American Psychological Association. (1982). Ethical principles in the conduct of research with human participants. Washington, DC: Author.

American Psychological Association. (1981). Ethical principles of psychologists. American Psychologist, 36(6), 633-639.

American Psychological Association. (1985). Guidelines for ethical conduct in the care and use of animals. Washington, DC: Author.

American Psychological Association. (1971). Guidelines for psychologists for the use of drugs in research. Washington, DC: Author.

American Psychological Association. (1981). Specialty guidelines for the delivery of services: Clinical, counseling, industrial-organizational, and school psychology. American Psychologist, 36(6), 663-681.

American Psychological Association. (1985). Standards for educational and psychological tests. Washington, DC: Author.

American Psychological Association. (1977). Standards for providers of psychological services. Washington, DC: Author.

